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JOURNAL

OF

THE SENATE

OF THE

STATE OF MISSISSIPPI,

AT A REGULAR BIENNIAL SESSION THEREOF,

HELD IN THE CITY OF JACKSON,

PUBLISHED BY AUTHORITY.

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JOURNAL

OF

THE SENATE

OF THE

STATE OF MISSISSIPPI,

AT A REGULAR SESSION OF THE LEGISLATURE, CONVENED IN THE CAPITOL, AT JACKSON, ON MONDAY, THE SEVENTH DAY OF JANUARY, IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND FIFTY, AND IN THE SEVENTY-FOURTH YEAR OF AMERICAN INDEPENDENCE.

MONDAY, JANUARY 7, 1850.

BE IT REMEMBERED, that on the day and year aforesaid, being the time and place designated by law for the assemblage of the Legislature for the State of Mississippi aforesaid, the Senate was called to order by the Hon. Benjamin Kennedy, Senator from the county of Carroll.

On motion of Mr. Kennedy, D. F. Dozier was appointed Secretary *pro tem.*, and, on the further motion of Mr. Kennedy, a call of the Senate was had; whereupon the following Senators appeared in their seats, to wit:

Messrs. Alcorn, Brooke, Bell, Berry, Cannon, Carter, Drane, Davis, Golladay, Gilleland, Greer, Guion, Hodges, Hughes, Kennedy, Lipscomb, McDougald, McAfee, Pettus, Ramsay, Reynolds, Stone, Stewart, Sharkey, Torrey, White—26.

A quorum appearing, on motion of Mr. Kennedy, Mr. Cannon, the honorable Senator from the counties of Chickasaw and Octibbeha, was called to the chair.

The Chair announced that the members elect to fill the vacancies which had occurred since the last adjournment, were invited to present their credentials and take the oath prescribed by the constitution.

Whereupon the following gentlemen presented themselves, and took the oath prescribed by the constitution, to wit:

Walter Brooke, from the Senatorial District composed of the counties of Holmes and Sunflower.

John Bell, from the Senatorial District composed of the county of Pontotoc.

J. H. Berry, from the Senatorial District composed of Tippah county.

James Drane, from the Senatorial District composed of the county of Choctaw.

George S. Golladay, from the Senatorial District composed of Yallobusha county.

Robert S. Greer, from the Senatorial District composed of the county of Marshall.

Thomas J. Hughes, from the Senatorial District composed of Winston and Noxubee counties.

D. Lipscomb, from the Senatorial District composed of the county of Lowndes.

John J. Pettus, from the Senatorial District composed of the counties of Kemper and Neshoba.

A. E. Reynolds, from the Senatorial District composed of the county of Tishemingo.

J. E. Sharkey, from the Senatorial District composed of Warren county and city of Vicksburg.

George Torrey, from the Senatorial District composed of Claiborne and Jefferson counties.

James M. Tait, from the Senatorial District composed of Desoto and Tunica counties.

Samuel N. Gilleland, from the Senatorial District composed of Leake and Attala counties.

On motion of Mr. Guion, the Senate proceeded to the election of President.

Messrs. Guion and Kennedy were appointed tellers to conduct said election, and forthwith the Secretary proceeded to call the roll, when, upon the first ballot, the vote stood as follows, to wit:

Dabney Lipscomb, of the county of Lowndes, received 18 votes; John I. Guion received 2 votes; Benjamin Kennedy received 3 votes; T. J. Stewart received 2 votes; W. A. Stone received 1 vote; W. R. Cannon received 2 votes.

Whereupon the Chair announced that, inasmuch as the Hon. Dabney Lipscomb had received a majority of the votes cast, he was duly elected President of the Senate for the term prescribed by law.

Whereupon the Hon. Dabney Lipscomb appeared, and took the oath prescribed by law, &c.

On motion of Mr. Kennedy, the Senate forthwith proceeded to the election of Secretary of the Senate, under the supervision of the same tellers.

Mr. Davis, Senator from the counties of Pike and Amite, nomi-

nated the following named gentlemen as candidates for Secretary of the Senate aforesaid, to wit:

Mr. John H. Harralson, of the city of Jackson;

Mr. John D. Elliott, of the city of Jackson;

Mr. D. F. Dozier, of the county of Jasper.

Mr. Kennedy, of the county of Carroll, nominated Mr. L. Trousdale, of the same county.

Mr. John I. Guion, of the city of Jackson, nominated Mr. Josephus Dotson, of the same city.

Mr. Cannon, of the counties of Oktibbeha and Chickasaw, nominated J. A. Orr, of the last named county.

Mr. Greer, of the county of Marshall, nominated Mr. B. F. Dill, of the county of Lafayette.

Mr. Drane, of the county of Choctaw, nominated Mr. Ira P. Jones, of the county of Monroe.

And, forthwith, the Secretary of the Senate proceeded to call the roll, when, upon the first ballot, the vote stood as follows, to wit:

Mr. John D. Elliott received 3 votes; Mr. D. F. Dozier received 8 votes; Mr. J. H. Haralson received 4 votes; Mr. L. Trousdale received 4 votes; Mr. J. A. Orr received 4 votes; Mr. B. F. Dill received 3 votes; Mr. Josephus Dotson received 1 vote.

Whereupon the President announced that, inasmuch as neither of the gentlemen voted for had received a majority of the votes cast, there was no election; and, forthwith, the Secretary of the Senate proceeded to a second call, when, upon said ballot, the vote stood as follows, to wit:

D. F. Dozier received 11 votes; J. A. Orr received 5 votes; B. F. Dill received 5 votes; J. H. Haralson received 2 votes; John D. Elliott received 1 vote; L. Trousdale received 3 votes.

Whereupon the President announced that, inasmuch as neither of the candidates voted for had received a majority of the votes cast, there was no election.

And, forthwith, the Secretary of the Senate proceeded to a third call of the roll, when, upon the third ballot, the vote stood as follows, to wit:

D. F. Dozier received 12 votes; J. A. Orr received 6 votes; J. H. Harralson received 4 votes; L. Trousdale received 1 vote; B. F. Dill received 4 votes.

Whereupon the President announced that, inasmuch as neither candidate voted for had received a majority of the votes cast, there was no election.

And, forthwith, the Secretary of the Senate proceeded to a fourth call of the roll, when, upon the fourth ballot, the vote stood as follows, to wit:

D. F. Dozier received 11 votes; J. H. Haralson received 3 votes; J. A. Orr received 11 votes; B. F. Dill received 2 votes.

Whereupon the President announced that, inasmuch as neither

of the candidates balloted for had received a majority of the votes cast, there was no election.

Mr. Greer withdrew the name of Mr. Dill as a candidate; and, forthwith, the Secretary of the Senate proceeded to a fifth call, and the result of said call was as follows, to wit:

D. F. Dozier received 11 votes; J. H. Orr received 13 votes; J. H. Haralson received 3 votes.

Whereupon the President announced that, inasmuch as neither candidate voted for had received a majority of the votes cast, there was no election.

And, forthwith, the Secretary of the Senate proceeded to a sixth call, when, upon counting out the votes, the vote stood as follows, viz:

D. F. Dozier received 13 votes; J. A. Orr received 14 votes.

Whereupon the President announced that, inasmuch as J. A. Orr had received a majority of the votes cast, he was elected Secretary of the Senate for and during the time prescribed by law.

And, thereupon, the said J. A. Orr forthwith appeared, took the oath required, &c., and was duly installed into the office aforesaid.

On motion of Mr. Cannon, the election of Doorkeeper was ordered.

Mr. Pettus nominated Mr. Cavanah.
Mr. Guion nominated Mr. Foster.
Mr. McAfee nominated Mr. Deer.
Mr. Kennedy nominated Mr. Topps.
Mr. Stone nominated Mr. Drake.
Mr. Guion nominated Mr. Wilkinson.
Mr. Gilleland nominated Mr. Dailey.
Mr. Hodges nominated Mr. Gilchrist.

The Secretary of the Senate proceeded to call the roll, Messrs. Guion and Kennedy again acting as tellers, when, upon the first ballot, the vote stood as follows, to wit:

Mr. Cavanah received 15 votes; Mr. Deer received 1 vote; Mr. Wilkinson received 3 votes; Mr. Gilchrist received 3 votes; Mr. Foster received 2 votes; Mr. Horton received 2 votes; Mr. Dailey received 1 vote.

Whereupon the President announced that, inasmuch as Mr. Cavanah had received a majority of the votes cast, he was duly elected Door-keeper for the Senate for the term required by law; who, thereupon, appeared and took the oath prescribed by law, &c.

Mr. Kennedy offered the following resolution, viz:

"*Resolved*, That the Secretary inform the House of Representatives that the Senate has elected its officers, and is ready to proceed to business."

Which was read and adopted forthwith.

Mr. Greer offered the following resolution, viz:

"*Resolved*, That a committee of three, on the part of the Senate, and ———, on the part of the House of Representatives, be ap-

pointed to wait on his Excellency the Governor, and inform him that the two Houses have organized, and are now ready to receive any communicatian he may have to make; which was read.

On motion of Mr. Cannon, the rule which required joint resolutions to lie over one day, was suspended, and the resolution was read a second time, forthwith, and adopted.

Messrs. Greer, Hodges and Kennedy were appointed said committee.

Mr. Cannon offered the following resolution, viz:

"*Resolved*, That the rules adopted for the government of the Senate by the last session be adopted by the Senate for its government at the present session."

Which was read and adopted forthwith.

On motion of Mr. Kennedy, the Senate adjourned until to-morrow morning, 10 o'clock.

TUESDAY, JANUARY, 8, 1850.

The Senate met pursuant to adjournment, and the journal of yesterday was read.

The following message was received from the House of Representatives, through their clerk, Mr. Russell:

MR. PRESIDENT—I am instructed by the House of Representatives, to inform the Senate, that they have met, formed a quorum, elected the Hon. John J. McRea, Speaker, E. P. Russell, Clerk, Bolivar Yancey, Door-keeper, and are now ready to proceed to business.

The House have also adopted the following resolutions, to-wit:

Resolved, The Senate concurring, that the two Houses will meet in the Hall of the House of Representatives, at 11 o'clock, the 8th instant, for the purpose of electing a Sergeant-at-arms.

Resolved, The Senate concurring, that the joint rules, adopted for the government of the two Houses, at the last session, be adopted at the present session.

Resolved, The Senate concurring, that a committee of five on the part of the House, and — on the part of the Senate, be appointed to wait on his Excellency the Governor, and inform him that the two Houses have organized, and are now ready to receive any communication he may think proper to make — and have appointed as said committee on the part of the House, Messrs. Thomas of Marshall, Barry, Noble, Henry, and Baker, of Hinds. In which I am instructed to desire the concurrence of the Senate.

Mr. Ramsay asked, and obtained leave, to introduce the following resolution, to-wit:

Whereas, a suit is now pending in the circuit court of Harrison county, against the tax collector, Benjamin Davis, for a portion

of the taxes of 1841, and it is deemed necessary that the assessment-rolls for said county, now on file in the Auditor's office, should be produced in said court, on the trial of said cause, which cannot be done at present, without great expense, and the absence of the Auditor from his official duties: Now, therefore—

Resolved by the Legislature of the State of Mississippi, That the Auditor of Public Accounts have permission to send said assessment-rolls to said court by such person as he may deem safe, who shall be first duly sworn to preserve and return the said rolls to the said Auditor, when said case is finally disposed of.

Which was read the first time; and, on motion of Mr. Ramsay, the rule requiring said resolution to lay on the table, was suspended, and the same read a second time, forthwith, and adopted.

Mr. Sharkey offered the following resolution, to-wit:

Resolved, That the editors and reporters of the press of the State be invited to seats on the floor of the chamber; which, on motion, was adopted.

Mr. Cannon offered the following resolution, to-wit:

Resolved, The House of Representatives concurring, there will be a convention of the two Houses, in the hall of the House of Representatives, on to-morrow at eleven o'clock, for the purpose of counting the votes for Governor, and declaring his election; which was read the first time.

On motion of Mr. Cannon, the rule was suspended, and the resolution read a second time, and forthwith adopted.

On motion of Mr. Gilleland, the message first received from the House, was taken up; and, on his motion, the first resolution in said message was concurred in.

On motion of Mr. Hodges, the second resolution in said message, was concurred in.

On motion of Mr. Gilleland, the third resolution in said message was concurred in.

In pursuance of the third resolution, the President appointed the following named gentlemen, the committee on the part of the Senate, to-wit.: Messrs. Gilleland, Cannon, and Sharkey.

The Senate then took a recess of fifteen minutes.

The recess having expired, the President called the Senate to order.

Mr. Cannon, from the joint committee appointed to wait upon his Excellency the Governor, made the following report, viz:

Mr. President—The joint committee of the two Houses, appointed to wait on the Governor, beg leave to report, that they have performed the duty assigned them, and were requested by the Governor to say, that he would communicate with each branch of the Legislature in thirty minutes; which was received.

The following message was received from the House of Representatives, through their Clerk, Mr. Russell, viz:

Mr. President—I am instructed by the House of Representatives, to inform the Senate that they have adopted the following joint resolution, to-wit:

Resolved, The Senate concurring, that the two Houses will meet in the hall of the House of Representatives, to-day at eleven o'clock, for the purpose of electing a public printer, and librarian, and keeper of capitol; in which I am instrueted to desire the concurrence of the Senate; which was read.

Mr. Stewart moved that the Senate concur in the resolution contained in the said message.

Mr. Kennedy moved that the words "publie printer," be stricken out, which was adopted.

On motion of Mr. Bell, said resolution was laid upon the table.

A communication was received from the Secretary of State, accompanied by the report of the committee appointed at the last session of the Legislature "for the examination of the books of the Auditor of Public Accounts, Treasurer, and Executive department of the State, and for other purposes;" which communication was read; and on motion of Mr. Bell, the said communication and report was laid on the table.

A communication, in writing, was received from the Governor, through his private secretary, which, on motion of Mr. Gilleland, was laid on the table.

Mr. P. S. Catchings, Senator elect from the Senatorial district composed of the counties of Copiah and Simpson, appeared, was sworn in, and took his seat.

The following message was received from the House of Representatives, through their Clerk, Mr. Russell, viz:

Mr. President—I am instructed by the House of Representatives, to inform the Senate, that their hall is now in readiness to receive the Senate, for the purpose of proceeding to the election of Sergeant-at-arms, which was read;

And forthwith the Senate concurred in said resolution, and repaired to the hall of the House of Representatives, and took the seats assigned them.

The President having explained the object of the joint assembly, the following nominations were made:

Mr. McAfee, of the Senate, nominated J. McDonald, of Copiah.
Mr. Pettus, of the Senate, nominated Wm. Herbert, of Neshoba.
Mr. Torrey, of the Senate, nominated J. C. Smith, of Jefferson.
Mr. Barton, of the House, nominated J. R. Collins, of Tippah.
Mr. Brooke, of the Senate, nominated Robt. Cook, of Hinds.
Mr. Catchings, of the Senate, nominated R. Leach, of Copiah.
Mr. Kennedy, of the Senate, nominated C. A. Stovall, of Carroll.
Mr. Stewart, of the House, nominated E. S. Farrish of Hinds.

Mr. Nelson, of the House, nominated T. Spencer, of Copiah.

Mr. Guion, of the Senate, nominated John H. Ball, of Hinds.

Mr. Golladay, of the Senate, nominated W. H. Duberry, of Yallobusha.

Mr. Greer, of the Senate, nominated G. C. Smith, of Hinds.

Mr. Singleton, of the Senate, nominated Mr. Pegram, of Tippah.

The House then proceeded to ballot. Messrs. Alcorn, of the Senate, and Barry and Neill, of the House, acted as tellers.

Upon counting the votes, it appeared that Mr. McDonald received 5 votes; Mr. Herbert received 17 votes; Mr. J. C. Smith received 11 votes; Mr. Collins received 24 votes; Mr. Cook received 18 votes; Mr. Leach received 3 votes; Mr. Stovall received 9 votes; Mr. Duberry received 4 votes; Mr. Farrish received 3 votes; Mr. Spencer received 2 votes; Mr. Ball received 12 votes; Mr. G. C. Smith received 4 votes, and Mr. Pegram received 4 votes.

Neither candidate having received a majority of all the votes cast, the two Houses proceeded to a second balloting, and upon counting the votes, Mr. Collins received 27 votes; Mr. Cook received 27 votes; Mr. Leach received 1 vote; Mr. Stovall received 9 votes; Mr. Herbert received 20 votes; Mr. Smith received 10 votes; Mr. Ball received 11 votes; Mr. G. C. Smith received 1 vote; Mr. McDonald received 3 votes; Mr. Duberry received 2 votes; Mr. Pegram received 1 vote; Mr. Farrish received 2 votes; Mr. Spencer received 2 votes.

Neither candidate having received a majority of all the votes cast, the two Houses proceeded to a third ballot.

The names of Mr. McDonald and Mr. Spencer having been withdrawn; and upon counting the votes,

Mr. Collins received 41 votes; Mr. Cook received 35 votes; Mr. Herbert received 22 votes; Mr. J. C. Smith received 5 votes; Mr. Ball received 5 votes; Mr. Stovall received 3 votes; Mr. Leach received 2 votes; Mr. Farrish received 1 vote.

Neither candidate having received a majority of all the votes cast, the two Houses proceeded to a fourth ballot.

The names of Messrs. J. C. Smith, Stovall, and Leach having been withdrawn.

And upon counting the votes, Mr. Collins received 49 votes; Mr. Cook received 51 votes; Mr. Herbert received 14 votes; Mr. Ball received 1 vote.

Neither candidate having received a majority of all the votes cast, the two Houses proceeded to a fifth ballot.

Pending which, the following gentlemen presented themselves to the Chair, and took the oath of office, to-wit:

From the county of Chickasaw, W. K. Harrison.

From the county of Munroe, T. T. Armstrong.

From the county of Noxubee, Geo. H. Foote.

From the county of Issaquena, J. J. Hughes.

The fifth ballot was then taken for Sergeant-at-arms, and resulted as follows:

Mr. Collins received 56 votes; Mr. Cook received 61 votes; Mr. Herbert received 6 votes.

Neither candidate having received a majority of all the votes cast, the two Houses proceeded to a sixth ballot.

The name of Mr. Herbert having been withdrawn, and upon counting the votes, Mr. Collins received 55 votes, and Mr. Cook received 66 votes.

Whereupon the President declared that Mr. Cook, having received a majority of all the votes cast, was duly and constitutionally elected Sergeant-at-arms.

Mr. Cook then presented himself, took the oath of office, and entered upon the discharge of its duties.

The two Houses having accomplished the business for which they had convened the Senate retired.

On motion of Mr. Bell, the message from the Govenor was called from the table, and ordered to be read, which is as follows:

MESSAGE OF THE GOVERNOR.

Fellow Citizens of the Senate
and of the House of Representatives:

Permit me, upon your assemblage, in obedience to the requirements of the constitution, to express, in the form of legislation, the will of your constituents, to offer you my hearty congratulations. Since your last meeting, with the exception of cholera, which has merely touched the western margin of our State, an unusual degree of health has been enjoyed. No great calamity has fallen on our people. The records of our courts, and the diminished number of felons in our prisons, indicate a high and improving state of morality; and although less propitious seasons than usual, and low prices for our staple, have diminished the pecuniary rewards of our industry, yet no extensive embarrassment exists. Our citizens are mostly free from debt; our storehouses abound with plenty; and, under the benign influence of our institutions, and the guidance of a beneficent Providence, our march is onward and upward towards prosperity and happiness. Our acknowledgments are due to Him who has showered His blessings upon us in such rich profusion.

The reports of the Auditor and Treasurer show a prosperous and improving condition of our finances. The Auditor's Report, for 1848, shows that the assessments of that year (inclusive of $674 10, of insolvencies of the former year collected,) amounted to $502,800 85. This includes damages on delinquent tax payers and on defaulting tax collectors, amounting to $1,611 80, and $100,050 assessed against the United States Bank of Pennsylvania, or their trustees, the Commercial and Railroad Bank of Vicksburg, and the Bank of Vicksburg—little of which has been collected, on account of judicial questions arising upon the assessments.

From this assessment there had been collected and paid into the treasury, up to the 1st day of January, 1849, $343,082 39. After deducting from the whole assessment the credits allowed for insolvencies, commissions for collecting, taxes on lands sold to the State, erroneous assessments, execution of deeds for the lands, and $21,965 15 of taxes, the collection of which was enjoined, there remained $102,332 68 of said assessment uncollected, chiefly from the banks above mentioned.

During 1848 there were also collected, from the taxes due for former years, $23,384 39; making the whole sum collected from the ordinary sources of revenue $366,466 78. There were also collected, on account of the Two per cent. Fund, Literary Fund, Town Lot Fund, Seminary Fund, Chickasaw School Fund, Sinking Fund, and Internal Improvement Fund, the sum of $34,620 21; which, added to the collections made of the general revenue, show

an entire collection of..... $401,086 99
The total expenditures of the year were..... 344,717 18

Which shows the excess of receipts over the expenditures to have been..... 56,369 81

A large portion of the above expenditures, however, were extraordinary. The receipts from the ordinary sources of revenue, as stated above, were..... $366,466 78
And the ordinary expenses were only..... 237,458 32

Showing an excess of ordinary receipts over ordinary expenditures of..... 129,008 46

The Treasurer's Report shows that, on the first day of January, 1849, there was in the treasury, of general revenue funds, the sum of..... $188,174 28
And on the 1st of January, 1848, or twelve months before..... 114,741 10¾

Showing an increase in the general revenue in the treasury, in one year, of..... 73,433 17¾

But we have seen, from the Auditor's Report, that the excess of the receipts of the general revenue, over the ordinary expenditures, was..... $129,008 46
If, from this, we subtract the increase, as shown by the Treasurer's Report..... 73,433 17¼

We have the amount paid out, in discharge of former liabilities,..... 55,575 28¾

The amount of the Two and Three per cent. Funds, as shown by the Treasurer's Report, on 1st of January, 1848, was $213,020 77
And on 1st of January, 1849..... 131,833 27

Showing a diminution of those funds of..... 81,187 50

From a statement furnished by the Auditor, the entire assessments for the year 1849, inclusive of damages, and insolvencies of the former year collected, amount to the sum of..... $442,757 24
And the amount collected of this assessment and paid into the treasury was..... 358,617 52

Leaving a balance credited to the collectors, except $737 01 unsettled, of..... 84,139 72

But of this sum $49,046 49 is enjoined from collection.

When we consider the large assessment of that year, and that only $731 01, exclusive of the sum just mentioned as enjoined, remains unpaid, too much praise cannot be bestowed on the vigilance of the Auditor, and on the fidelity of the tax collectors.

The total receipts into the treasury for the year 1849, from all sources, were..... $437,018 44
And the total expenditures were, with and without warrant from the Auditor..... 317,428 86¼

Showing an excess of receipts of..... 119,589 57¾

But the above expenditures include a large extraordinary expenditure, on account of the Two per cent. Fund, expended on the Southern Railroad; the funded debt, and bonds and coupons of the State, amounting to $177,022 02¼; and also $449 54, paid out on unfunded warrants of the Auditor, issued prior to 1849.

The amount received from ordinary sources of revenue, during the year 1849, was		$358,617 52
And the ordinary current expenses were		139,957 30
Showing an excess of general revenue over the ordinary expenses of the State of		218,660 22
The balance in the treasury on the 1st of January inst., as per a statement made by the Treasurer, is		$438,667 12
But of this amount the following sums belong to the Trust Funds, viz:		
To the Two per cent. Fund	$ 4,851 78	
To the Three per cent. Fund	24,896 09	
To the Seminary Fund	79,077 77½	
To the Sinking Fund	75,022 22½	
		183,850 87
Leaving, applicable to the current expenses of the government		$254,816 25
The total amount received of the Sinking Fund is		$147,915 32½
Of this sum there has been applied to the redemption of bonds and coupons		72,893 10
Leaving a balance, applicable to the payment of the bonds, of		$75,022,22½
The total amount of the Internal Improvement Fund is		$22,156 28
But the State is entitled to a credit for her expenditures in locating the land, &c., of		16,663 45
Showing a nett amount due that fund of only		$5,492 83
The whole amount of the Chickasaw School Fund is		$4,513 30½
But the State has incurred an expense, in locating the School Lands, of		8,474 14
Which shows a balance due the State from said Fund of		$3,960 83½

It will be seen from the report of the State Commissioner, herewith transmitted, that there yet remains of the Sinking Fund, to be collected, including interest, the sum of $705,845 26. Of the Seminary Fund there are available judgments to the amount of

$11,000, and two thousand acres of land, valued at $16,000; making, in all, uncollected, which is available, about $27,000.

The balance to be collected on the Town Lot Fund consists of good judgments, which will be collected in a few months, amounting to about $9,000, and an unpaid balance on several lots, on which bills are pending to enforce the State's lien, amounting to about $8,000 more.

The amount collected and paid into the treasury by the Commissioner of the above funds is $33,335 85; and he has received, by compromises, three thousand five hundred acres of land, valued at three dollars per acre, amounting to $10,500; making, in all, collected and secured, $43,835 85.

I recommend the passage of a law authorizing the commissioner to sell the residue of the lands belonging to the Seminary Fund, under the direction or sanction of the Governor and Attorney General, as in cases already provided in regard to the Sinking Fund.

The amount expended by me, of the Executive Contingent Fund, during the year 1848, was $3,107 52, and by Governor Brown, $173 00; making a total of..... $3,280 52
And the amount expended by me, during 1849, was.... 2,125 41

Amounting, in all, to..... $5,405 93
Which is less, by $2,594 07, than the standing annual appropriations.

The amount drawn and expended on the regular annnal appropriation to the State Library, during the last two years, was $211 87, by my predecessor, and $295 50 by myself, amounting, together, to $507 37. And the amount drawn and expended, during the same period, on account of the Contingent Fund of the State Library, was $148 98.

The amount expended by me of the appropriation to defray the expenses of the Mississippi Battalion, was $996 60.

From a statement furnished by the Secretary of State, herewith presented, it will be seen that, under the act of the last session providing for the sale of the five hundred thousand acres of land donated to the State by the general government, there have been sold 4,900 23-100 acres; 2,070 03-100 acres of which were sold to preemptors, at $2 50 per acre, and the residue, 2,830 20-100 acres, to others, at $6 00 per acre—amounting, in the aggregate, to the sum of $22,156 28. Of this sum there were received, in specie, $2,764 48; in bonds of the State, sold for the purpose of taking stock in the Planters' Bank, $12,886 60; and in coupons, for interest on said bonds, $6,505 00.

The very short crops of our great staple, for the two last years; the extremely low price of the same; the unprecedented overflow of the Mississippi river, and the prevalence of the cholera, with the inducements to emigration presented by our immense territories westward, have all conspired to limit the amount of sales of these lands. It will be seen that, of the proceeds of the sales made at

$6 00 per acre, there were only $7 70 paid in specie. This fact indicates that, but for the provision authorizing the reception of bonds and coupons in payment, little, if any, of these lands would have been sold. These were at a discount of about thirty per cent.; causing the lands which sold at $6 00 per acre to cost the purchasers only about $4 20 per acre. Assuming that these lands sold as readily at $6 00 per acre, payable in bonds, as they would have sold at $4 20 in specie, the State is gainer by the reception of bonds $1 80 per acre. There are 495,099 77-100 acres yet to be sold; and if, upon the minimum price of the government, we estimate a gain in the same ratio, by selling for bonds, the gain to the Internal Improvement Fund will be $185,663 41. But by a careful and judicious policy in the sales, I think it probable these lands will sell at an average cash value of $2 00 per acre. A gain of 30 per cent., by taking bonds at this price, would amount to $297,059 56. Thus our Internal Improvement Fund would be increased near $300,000, which would be a clear profit over a cash sale of the lands; because precisely the same amount of our bonds would be paid by the operation, and the check to accruing interest on the same, at six per cent. per annum, would be a further gain of about $18,000 per annum. A further advantage, arising from this policy is, that the sum thus saved to the State will be expended among ourselves, in constructing roads, clearing out our rivers, constructing levees, &c.; which, by the increasing facilities afforded to traveling and commerce, the diminished expense of transporting our produce to market, and the consequent improvement in the value of our property, will probably double or treble the amount.

I am aware that it is still insisted, by some, that the reception of the bonds, in payment for the lands, is a diversion of the fund from the purposes of the grant. After the most respectful attention to all I have heard urged in support of this position, I have not been able to perceive how, taking into our possession these bonds, and placing them to the debit of the State, as cash due the Internal Improvement Fund, is a diversion of the fund in its application. It is not in the reception, but in the application of the fund, that a diversion, contrary to the purposes of the grant, may be made. Were the proceeds of the land received in cash, they would be placed to the debit of the State as cash; and we might refuse to pay this out in constructing works of internal improvement, or we might apply it to something else, precisely as it is supposed we might do if we receive and charge the bonds as cash. If the amount received, whether in bonds or cash, be applied to anything else than internal improvement, it will be a diversion of the fund; but if that amount be expended in cash, as required by the donor, then there will be no diversion. Suppose we have one million of specie received for revenue, and we also receive one million in specie for the lands; if, in the expenditure, we should happen to use the million received

for revenue, instead of that received for the lands, in constructing works of internal improvement, and the million received for the lands in our ordinary expenditures, would this be a diversion of the fund from the purposes of the grant? So, if the bonds are cash to us, or its equivalent, which they certainly are, if we owe them, can it be a diversion, when we pay out the same amount in cash, in conformity with the trust reposed in us by Congress? The federal government, our own State, and, it is believed, every State in the Union, and every civilized nation on the globe, have acted upon the same principle, in all periods of their existence. The cases are too numerous and well known to require recital; and yet the wisdom of ages has never discovered that such a policy was in bad faith, or a diversion of the funds, until it has been discovered in Mississippi.

It has been insisted that the wisest policy would be to reduce the price of the lands, at once, to $1 25 per acre. It is urged that such a policy would insure a speedy sale, and that the increased revenue, arising from the lands and the population that would settle upon them, would more than equal the amount that will be realized by selling them at a higher rate. This may all be true; but this policy is liable to a serious objection. These lands are committed to us in trust—the donor retaining an interest in the application of the proceeds. As trustees, it is our duty so to manage the trust as to promote, to the greatest possible extent, the interest of the grantor. The taxes to be collected would not belong to the Internal Improvement Fund, but to the general revenue, to be disbursed in the ordinary expenditures of the government. The amount thus lost to the Internal Improvement Fund, by low sales, although reimbursed by taxes, being placed to the credit of the general revenue, would be equivalent to a diversion of that sum from the Internal Improvement Fund, and clearly a violation of the trust reposed in us. If these lands were absolutely our own, so that we could consult our own interest exclusively in the disposition of them, then the policy of selling them at low prices, so as to insure a speedy settlement and cultivation of them, would meet with my cordial approval. I believe, however, that not only the interests of the State, but of the United States, will be best promoted by a graduation of the price of these lands; and I recommend such gradual reduction, from time to time, as in your wisdom may be proper, with a due regard to all the interests involved, giving pre-emption rights to actual settlers at the graduated price.

Owing to conflicting claims of pre-emptors, a large portion of the locations heretofore made have been rejected, producing a deficit of about 20,000 acres. I have appointed commissioners to locate other lands to make up this deficit, who are now performing the duty assigned them; and, from information received, it is hoped the work will soon be accomplished.

Of the Chickasaw School Lands, only 984 88-100 acres have

been disposed of by a lease of ninety-nine years, as provided for by the act of the last session of the legislature. The proceeds of the lease amount to $4,513 30½. Three of the tracts are leased, under a special provision for that purpose, at $2 50 per acre; and four other tracts—the residue disposed of—at $6 00 per acre. Had the law authorized the lease of these lands, and the sale of the State's lands by smaller subdivisions than quarter sections, a much larger quantity might have been disposed of; and I recommend such amendment of the law as, at least, to permit fractional sections to be offered separately.

Extensive depredations have been, and still are, committing on the valuable timber of the State's and Chickasaw School Lands. I have endeavored to suppress these lawless acts, by despatching agents to the scene of depredations, but their efforts have been attended with but little success. The destruction of the timber is still going on, and the agents have been set at defiance. In some instances they have been notified that their safety depended upon speedily leaving the place. The law, as it now exists, is found wholly insufficient to protect the interests of the State in that quarter; and I recommend that the Executive be authorized to appoint one or more agents of the State, to remain on the ground, and that severe penalties be annexed to convictions for the commission of these offences.

If the policy of continuing to receive bonds and coupons, in payment for the lands granted to the State for purposes of internal improvement, should meet your approbation, a considerable portion of the surplus revenue now in the treasury, in anticipation of the proceeds of these lands, may, I think, be safely applied to works of that character, as contemplated in the donation. The clearing of our rivers from snags, logs, and hanging timber, and the construction of a levee on the Mississippi river for the reclamation and protection of the lands of the State, and of our citizens, I think, demand the speedy and earnest attention of the legislature. The most equitable scheme, in my judgment, for effecting the latter improvement, is a tax upon the lands of the river counties, founded on assessments of the lands of the State, as well as of those belonging to individuals, by which the State and the citizens interested shall mutually bear their respective portions of the expense.

The annual report of the Commissioners of the Southern Railroad has not yet been received. I am advised, however, that the road will be completed to Brandon, a distance of fourteen and a half miles, in a few weeks. So soon as this report is received it will be presented to the legislature.

Should you determine to commence a system of internal improvement, it will, I think, be indispensable to a judicious expenditure in its prosecution, to authorize the immediate appointment of a Board of Internal Improvement, and a State Engineer, with one or more assistants, to make surveys and estimates of such works as

may be authorized, preparatory to the application of the funds to be expended in their construction, and to superintend the same during their progress.

The important results and extensive benefits derived from geological surveys in several States, and the discoveries made in the vicinity of this city by a geological society formed a few months since, have strongly impressed my mind with the importance of a Geological Survey of this State. In Alabama, a survey has commenced, under the patronage of the University of the State; and, although the work is barely commenced, large mines of bituminous coal, of excellent quality; quarries of beautifully variegated marble, supposed to be inexhaustible; extensive beds of iron ore, and several other valuable minerals, have been discovered. Similar results have attended a survey of Tennessee; and the almost incalculable advantages derived from geological surveys of Virginia, Maryland, Pennsylvania, and other States, are well known. The geological society of this place, notwithstanding its limited knowledge of the science of geology, the short period since its formation, and the limited investigations which it has made, has, nevertheless discovered, in the immediate vicinity, vast beds of marl, possessing highly fertilizing properties, and also extensive mines of gypsum, known as plaster of Paris, of the purest quality. Its value as a plaster for buildings, and as a superior fertilizing agent, when applied to exhausted soils, is well known. While we have, at great expense, been importing this article from the eastern States, we had, it is believed, an inexhaustable supply of the same article at home. Extensive mines of iron, ochre of the best quality, and an earth supposed to be porcelain, have been discovered in the northern portions of the State. The importance of developing our resources, and of promoting the interests of science, demands, as I think, the favorable considerable of the legislature; and the prosperous state of our finances indicate this as a propitious period for commencing a work that promises incalculable advantages to the State.

The great cause of Education should, as it doubtless will, receive due consideration by the legislature. I herewith transmit the report of the Secretary of State, who is, ex-officio General School Commissioner, to which I invite your particular attention. It will be perceived that the results of the common school system adopted by the legislature of 1846, if not a total failure, has fallen far short of the expectations of its friends. It is apparent that a more efficient system must be adopted, or the permanent interests of education must languish. It is generally admitted, in this country, that intelligence and virtue form the foundation on which alone we can rely for the support and perpetuity of our free institutions. Our government, being the exercise of the popular will, to preserve it from anarchy and destruction, it must be guided and controlled by an enlightened public opinion. In this country, every freeman is

politically equal, and, so far as the elective franchise is concerned in the administration of the government, equally shares the power and responsibilities of controlling the destinies of his country. So long, therefore, as the masses are ignorant or vicious, our institutions are in danger. But while the want of intelligence in the masses subjects us to danger, by an unwise exercise of the right of suffrage, all experience shows that liberty is equally exposed to peril by ambitious and corrupt men, who, by means of their education, have obtained an undue influence over the ignorant multitude. It follows that a general system of education, embracing all the children of the country, having for its object not only their instruction in literature and the sciences, but the inculcation of the principles of a pure morality, are essential to the preservation of our rights and liberty. In this view of the subject, every citizen is interested in the education not only of his own family, but in that of all the children of the State. The children of the poor, as well as the rich, the uneducated, as well as those who have enjoyed the lights of science, will soon be the sovereigns of this country, and the arbiters of its destiny. Every citizen, therefore, as he regards the welfare of his country, as he desires the perpetuity of our invaluable institutions, and the elevation of the human race in all that is valuable in knowledge and exalted in virtue, should cheerfully submit to such contributions for these laudable objects as may be required by wise and equitable legislation. If we intend to perform our duty to ourselves, to our country, and to posterity, we must abandon a half-way, temporizing policy; and I recommend, as in my judgment the wisest policy, after ascertaining what available resources we possess, to supply any deficit that may be required to carry out a general system of common school education, by a tax upon the persons and property of all the citizens of the State.

I have no official report, showing the condition and prospects of the State University, but am advised that its success, so far, is such as to inspire the hope that it will be an object of just pride to our citizens, and merit the fostering care of the legislature.

By the existing law, widows are allowed a dower in the real estate of their deceased husbands, and one year's support from the effects of their personal estate. This beneficent provision, in the case of insolvent estates, protects the helpless widow and orphans from absolute penury; but, if the wife die first, upon the death of the insolvent husband, the law makes no provision for the orphans out of the estate. The creditors may strip them of everything, and turn them over to the cold charities of the world. I recommend the passage of a law reserving a portion of the estates of decedents for the support and education of their orphan children.

The Surveyor General's Office, at Jackson, being abolished, by an order of the Department at Washington, I directed the books and papers of the office to be deposited with the Secretary of State.

I recommend the passage of a law designating some officer to take charge of them, whose certificates may be received in evidence in suits, where such evidence may be required.

I recommend the repeal of that portion of the revenue law which authorizes the sale of lands to individuals for the taxes due on them. The tendency of this policy, I apprehend, is to unsettle the titles to real estate, to produce endless litigation, and to prevent immigration to, and settlement in, the State. In lieu thereof, I suggest that all lands on which the taxes shall not have been paid by a given day in each year, shall be forfeited to the State; and duplicate lists of the same, containing an accurate description of the legal subdivisions of the land, shall be made by the tax collectors, one of which shall be deposited in the office of the clerk of probates of the respective counties, to be by him recorded, and the other furnished the Auditor of Public Accounts, to be in like manner recorded by him. That said lands be redeemable within five years, by payment of the taxes for which they were sold, inclusive of expenses, and all subsequent accruing taxes to the day of redemption, with fifty per cent. damages thereon as a penalty for the failure to pay the taxes; and, in the event of the lands not being redeemed within the time specified, the title to the same shall then vest absolutely in the State—to be devoted to the purposes of education, or internal improvement, or such other objects as, in the wisdom of the legislature, may be deemed most expedient.

I herewith transmit the annual reports of the Superintendent and Inspectors of the Penitentiary; from which it will be seen that the institution has yielded a profit to the State, during the past year, of $3,688 23—$3,092 85 of which have been paid into the treasury. The nett gain reported for the preceding year was $1,408 84. The experiment of manufacturing lindseys and cotton goods, by the convicts, has been eminently successful, and beyond the anticipations of the most sanguine advocates of the measure. The engine, however, is too small to furnish sufficient power to propel the machinery as it should be done, and, as no doubt any longer exists as to the wisdom of the policy of manufacturing goods in our State Prison, I recommend an appropriation sufficient to increase the power of the engine, and enlarge the establishment.

The act of the last session appropriating the amount of the Sinking Fund to the debit of the State on the books of the treasury, to the payment of the bonds and coupons of the State issued to take stock in the Planters' Bank, has been wholly inoperative, on account of its prohibiting the payment of the coupons, unless attached to the bonds when presented for payment. The first $500,000 of bonds had no coupons attached to them—the payment of interest being provided for on the face of the bonds; and the coupons now due, I am advised, have all been cut from the bonds by the holders.

I herewith transmit the eloquent report of the Commissioners for the erection of the Lunatic Asylum, to which I invite your

special attention; and recommend such appropriations for the completion of the building as may appear necessary, from the facts and suggestions contained in said report.

I herewith submit, for your consideration, resolutions of the legislatures of several States of the Union, and also the proceedings of a convention of the citizens of Mississippi, and other documents, on the subject of slavery. So much has been said and written on this subject that I should submit these documents without further remark, were it not that the momentous character of the question, involving as it does the peace and stability of the Union, and the personal rights and safety of the people of the slave States, seems to demand of me, as one of the official organs of the people of Mississippi, an expression of their opinions on this subject. So long as the attempt to interfere with our domestic institutions was confined to a few enthusiasts, we felt but little alarm; but now, when a mighty political combination, embracing one-half of the Union, is formed, avowedly for the purpose of restraining us in the exercise and enjoyment of our constitutional rights; when, regardless of constitutional obligations, they show a fixed determination to trample upon their plighted faith and the guaranties of the compact of Union; the direct tendency of which is to degrade us from the condition of equals to that of vassals, and not only to rob us of a participation in the benefits of the common property of all the States, but to cripple, and finally destroy, our rights of property in the States themselves, it is time to arouse to a sense of our danger, and exert all our energies to stop the progress of this conspiracy against our peace and safety, which, like a mighty flood, threatens to spread ruin and desolation in its course.

It is difficult to reconcile the conduct of the non-slaveholding States, in reference to this question, with the assumption that they are guided by a knowledge of the principles on which our government was founded, a regard for their constitutional obligations, or by a lofty patriotism. No proposition, to my mind, is more clear, than that the Wilmot Proviso and its kindred measures are without even the shadow of constitutional authority on the part of Congress; and that a more impolitic, unjust, and iniquitous measure was never presented for the consideration of any legislative body. Nothing but an unchastened thirst for power, forgetful of moral and constitutional obligation—a wild fanaticism, uncontrolled by reason, or an utter ignorance of the principles of our government, it appears to me, could induce any man, or set of men, to seriously entertain measures so monstrous.

The Federal Government is not a sovereignty, but the common agent of a confederacy of sovereignties; and the constitutional compact between these contains the grants and limitations of its authority. The correctness of this position will not be denied. It follows that Congress can exercise no powers but such as are expressly granted in the constitution, or such as are essential, as in-

cidents, to the carrying into effect expressed grants. Does the constitution anywhere grant to Congress the power to interfere with, or destroy the private rights to property, in slaves, or in anything else which a citizen of the United States may lawfully possess? The exercise of such a power is not only without authority, but it is foreign to, and opposed to the purposes for which the Federal Government was created. It was not formed to destroy the rights of the people, as recognized by the municipal laws of their respective States, but its province is to attend to the general interests of all the States, and "to provide for the *common defence*, and the general welfare of the United States." Do the words "*common defence*," mean the protection of our lives, only, and not of our property also? Will it be contended, that while Congress is bound to *protect* the citizen, it is at liberty to *destroy* his property, or his right to hold and enjoy it? Does not the obligation to "provide for the common defence," extend to the property of our citizens, as well as to their persons? The answer to these questions must be in the affirmative. Congress, therefore, has power, and is bound to protect, but has no power to destroy property, or the rights to property. The obligation to protect is wholly irreconcilable with the exercise of a power to destroy our property.

But to what extent does this obligation to defend, or protect the rights of the United States, or the people thereof, reach? Doubtless, to all cases beyond the jurisdiction of the municipal power or authority of the respective States, and wherever our citizens, or their property, may *rightfully* go. They may *rightfully* go with their property on the high seas, for this is the common right of the people of *all nations*, and they may *rightfully* go to the territories of the United States, for the territories are the *common property of all the States*. The possession of one legal right, cannot destroy another legal right. The citizens of the North and South are equal in rights, so far as those rights appertain to the co-estate of the United States; and as Congress has no right to interfere with, or control the rights existing under the municipal laws of any State, if a citizen of the non-slaveholding States can settle in the territories, with the *legal* property which he possessed under the laws of his State, then, a citizen of the slave States may settle there also with the *legal* property which he possesses under the laws of his State. If he cannot, then, the possession of one legal right, under the laws of a slave State, destroys another legal right secured by the laws of the United States, and, therefore, the people of the United States are not equal in rights—a position which, I apprehend, few will have the boldness to maintain.

That Congress has no right to interfere with the rights of property in slaves, may, I think, be shown by another consideration. Slavery existed prior to, and independent of the constitution. It was not created by the constitution, nor is it dependent upon it for its continuance. It would legally survive the destruction of both the

constitution and the Union. It was a vested right before the existence of the constitution, and by a universally acknowledged principle of law, no subsequent act of legislation can destroy a pre-existing, vested right. A sovereign State would not be permitted by its judiciary to commit such an outrage. If the sovereign States of this Union, cannot destroy by legislation, a pre-existing right, how can their mere agent do that which its creator cannot do?

Recent developments, however, have convinced my mind, that the passage of the Wilmot Proviso is not seriously intended. A show of such intention may be continued for a time, to intimidate slaveholders from removing to the territories, until another measure, effecting the same object, can be consummated. I allude to the late movements in California, in holding a convention, and framing a constitution, embracing the Wilmot Proviso in its provisions From a careful attention to this movement, from its inception to its consummation, I am convinced that it is a scheme to avoid the responsibility of openly meeting the question, by the direct passage of the Wilmot Proviso by Congress. In my judgment, this scheme is more abhorrent to the South than an open and direct adoption of the Proviso, for to fraud and injustice, it adds the crimes of hypocrisy and deceit. It was doubtless believed that the slave States stood committed to the proposition, that "the people of a territory in the formation of a constitution and State government, have the right, under the general principles of the constitution, to determine their own domestic policy," and it was supposed, that if the people of California should hold a convention and adopt a constitution, even if it should contain the Wilmot Proviso, the South would be estoped from an objection to its reception into the Union, by the above admission. Should they complain, it could be replied, "you have admitted the right of California 'to determine its own domestic policy,' and therefore, you must submit to the exercise, on their part, of an admitted right." Accordingly, the first step taken in the prosecution of this scheme, was the Proclamation of General Riley, declaring Mexican law, for the time being, the law of the land, and assuming the station of civil governor to execute those laws—laws prohibiting the introduction of African slavery, disfranchising one half of the Union, and rightful owners of the territory, of the right to settle there with their property; and continuing peon slavery—laws establishing the Catholic religion, and prohibiting all other forms of worship—laws, in many respects, wholly antagonistic in their character to the laws and constitution of the United States, who are its rightful sovereigns!

The next step of this executor of Mexican law, was to issue a proclamation for an election to hold a convention for the purpose of framing a constitution for a State government, preparatory to admission into the Union. A pretended election was held, where a few citizens of the United States, resident in California, and a mixed multitude, composed of transient adventurers, Mexicans,

Chilians, Europeans, Sandwich Islanders, Chinese, &c., &c., without regard to naturalization, fixed residence, or any other legal qualification, were permitted to vote; and lest some of the delegates elected, should fail to attend the convention, General Riley authorized the appointment of *supernumerary members* to fill the places of absent members—a procedure wholly unknown to law, or the practice, it is believed, of any civilized people on the face of the earth! The convention is held, and the scheme is consummated by a constitution with the Wilmot Proviso as one of its provisions; and, to crown the whole, now, the Executive of the United States deprecates the "agitation of sectional questions," alluding, as all know, to the Wilmot Proviso, and earnestly recommends this anomalous constitution—this offspring of a ridiculous farce, to "THE FAVORABLE CONSIDERATION OF CONGRESS!" But it seems a fundamental part of the proposition to which it was supposed we stood committed, in the great anxiety to consumate this scheme, was entirely overlooked. The proposition admits the right of the people of a territory in framing a constitution, "*under the general principles of the constitution, to determine their own domestic policy.*"

The sovereignty of the country had, by the late treaty with Mexico, passed from Mexico to the United States; and no people, whether in California or elsewhere, without first obtaining permission from Congress, had the right to assume sovereignty over the territory. But the people of California have not only, without the consent of Congress, assumed sovereignty over the territory of which they had possession, but over a vast country, wholly uninhabited, except by a few scattered savages, thereby attempting to forever prevent the rightful sovereigns, or at least, the slave States, from ever occupying the country purchased by their blood and treasure! Was this according to the "general principles of the constitution"? Was it according to the general principles of the constitution, for General Riley—a military officer only, to assume the office of civil governor of California—an office not created by Congress, and which the President has no power to create, and under Mexican law, order a convention, the object of which, was to deprive the United States of their sovereignty, and to disfranchise one half of those States from the enjoyment of a constitutional right? Was it according to the general principles of the constitution to hold an election without legal officers to conduct it and make returns, where persons of all nations, whether citizens or not, naturalized or not, should vote away, not only our sovereignty, but the inestimable rights of American citizens? And was it according to the general principles of the constitution for delegates thus elected, composed, as the proceedings of the convention show, of persons not naturalized by the laws of the United States, to dictate a government to citizens of the United States, and one, robbing eight millions of those citizens of the right of entering upon, and enjoying their own

property? And yet, this is the outrage that is earnestly recommended to the favorable consideration of Congress!!! Are you, I ask, and through you, I ask my fellow-citizens, are you prepared to submit to such an outrage? I know you are not, and that you are resolved to resist it by every means in your power, and to the last extremity.

At the formation of the confederation, about three-fourths of the territory of the Union belonged to the present slave States. In the spirit of conciliation, and for the sake of peace, we consented to a deprivation of our rights, first by the ordinance of 1787, in reference to the northwestern Territory, and secondly, by submission to the Missouri Compromise. Here, we supposed, that the spirit of aggression would stop, and that we might rest quietly, south of the line agreed on by that compromise. But in this, we are disappointed. This fell spirit now demands our exclusion from every foot of territory belonging to the Union. It is a universally admitted principle, that when one of the parties to a compact, without the consent of the other, disregards, and violates that compact, the other ceases to be bound to the performance of the obligations into which he entered in its formation. The non-slaveholding States have refused to abide by the terms of the Missouri Compromise, and the slave States are therefore absolved from the observance of the stipulations into which they entered, and should, at once, fall back on their original constitutional rights, by which they held an equal right with all the citizens of the United States, to remove to, and settle with their property in any of the territories of the United States. We have learned by bitter experience, the consequences of compromising our rights. Instead of peace, it only invites renewed aggression. Not only are we denied a settlement in the present free States with our property, (a right we have never refused to our Northern brethren, who wish to settle among us,) but we cannot travel through their territories without danger of being robbed of our slave property. These are the results of our concessions; and since their infidelity to their engagements has released us from even any honorable obligation to abide by these compromises, I maintain that duty to ourselves, requires that we never again consent to any restriction to the extension of our southern institutions, from any portion of the territories of the Union.

Unless we come to this determination and maintain it with unyielding firmness, I am convinced, that the days of this glorious Union are numbered. The spirit of fanaticism and aggression will never be stayed by compromises; but it will continue its work of destruction, until the sacred ties which have heretofore bound us together in one great and glorious brotherhood, shall be rent asunder—our present peaceful land shall be drenched in blood, and the glorious temple of human liberty, reared by our Fathers, and consecrated by their blood, shall tumble into ruins, exposed to the jeers and taunts of the minions of despotism.

In the event of the adoption of the Wilmot Proviso by Congress or the admission of California into the Union by virtue of her late pretended constitution, the abolition of slavery in the District of Columbia, or the prohibition of the commerce in slaves between the States, I recommend that the Governor be authorized to order an election of delegates from all the counties in the State, to a convention, to take into consideration the mode and measures of redress, and to adopt such measures for our future security as the crisis may demand.

During the past year a company of men, about three hundred in number, assembled on our gulf coast, at a place called Round Island, within the jurisdiction of the State of Mississippi. What led to their assemblage, or the object of that assemblage, was not known; but it was suspected by the naval officers of the United States then commanding in the gulf that they meditated an expedition against Cuba, or against some power with which the United States were at peace. Although these men were unarmed, and displayed no military organization, yet Lieutenant Totten and Commander Randolph, acting, as they alledged, under instructions from the government at Washington, issued each a proclamation, in which opprobrious epithets were applied to these men, and in which they were notified that they would not be allowed to leave the island, except to disperse, and that, until such dispersion, all supplies should be cut off. Several vessels on our coast, belonging to our citizens, were ordered, under peril of being fired upon, not to leave their position; and our coast was strictly blockaded, for several weeks, to the great injury and annoyance of our citizens. Now, whether these men on Round Island were or were not the just objects of the suspicions of those naval officers, I know not, nor is it material to the subject before us to know. The constitution of Mississippi provides that "No person shall be accused, arrested or detained, except in cases ascertained by law, and according to the form which the same has prescribed; and no person shall be punished, except in virtue of a law established and promulgated prior to the offence, and legally applied." "Nor can he be deprived of his life, liberty or property, but by due course of law." It also provides that "the military shall, in all cases, and at all times, be in strict subordination to the civil power." The same provisions exist, substantially, in the federal constitution. All these provisions were most flagrantly violated by these naval officers, by the arrest, detention and deprivation of the liberty of our citizens, within the civil jurisdiction of Mississippi, without oath or affirmation of any person, and without due course of law. Our coast was kept, for weeks, in a state of blockade, and our citizens deprived of the exercise of the rights of freemen, in a time of profound peace, by martial law, and in total disregard of the civil authorities of the State. If these lawless acts are to become a precedent to govern us in future, whenever a citizen may be so unfortunate as to fall

under the suspicion of a military officer, in defiance of his right to the protection thrown around him by the civil laws of his country, he may be arrested, deprived of his liberty, and injured in his property, by the mandate of a military officer. Esteeming this an outrage upon our rights, and an insult to the sovereignty of Mississippi, but wishing to avoid any collision with the government of the United States, I addressed a respectful note to the Secretary of the Navy, (a copy of which is herewith submitted,) enclosing copies of the proclamations of Messrs. Totten and Randolph, and requesting a copy of the instructions under which they acted. To this communication I received, in reply, his note, declining a compliance with my request, and giving me no information on the subject. I submit these facts to your consideration, that, upon mature deliberation, you may adopt such measures in relation thereto as may be deemed expedient. I however suggest the propriety of instructing our Representatives and requesting our Senators in Congress to institute an inquiry into this transansaction, by resolution or otherwise, as they may deem most proper.

The effects of the Militia Law of the last session is the complete destruction of our military organization in the State. Officers have, in many instances, resigned, and it is found impossible to fill vacancies by elections. Under these circumstances I called together the Major Generals of the State, for the purpose of devising ways and means to effect a military organization. The result of this effort is herewith presented, in the accompanying report of Major General Duffield, to which I invite your particular attention.

The administration of justice in our Circuit Courts is, in my opinion, greatly impeded, and rendered litigious and burdensome, by adhering to the common law, or English forms of actions, pleadings and practice. The constitution provides "that all courts shall be open; and every person, for an injury in his lands, goods, person or reputation, shall have remedy by due course of law, and right and justice administered without sale, denial, or delay." This invaluable provision of the constitution is rendered abortive by the complex and intricate system of pleadings now pursued in the Circuit Courts. By reference to the voluminous and rapidly accumulating reports of the decisions of our High Court of Errors and Appeals, it will be seen that a large proportion of the litigation in that court has arisen upon technical points of law growing out of the deficient forms of actions, and the pleadings applicable thereto, without any reference to the real merits of the controversy between the parties.

I therefore recommend that the existing forms of actions and pleadings in civil suits in the Circuit Courts be abolished, and that hereafter all suits shall be instituted by petition, and plead to by an answer, after the manner of pleadings now in use in the Chancery Court. This will enable the petitioner to state his cause of action in a plain and intelligible manner.

I recommend the institution of the blind, located in this city, to the favorable consideration of the legislature. The appropriation heretofore made is found insufficient to sustain the establishment; and, as it is known that we have many unfortunate beings in our State who are blind, deprived of the means of instruction so admirably adapted to their condition by this institution, the cause of humanity, suffering under this deplorable visitation, demands that a further appropriation, under the influence of an enlarged and enlightened benevolence, should be made to build up and sustain this institution.

So far as my extreme feeble health would permit, I have thus, with much deference to your superior wisdom, submitted to your consideration most of the matters of interest, in reference to the object of your assemblage, that have presented themselves to my mind; and, being now about to retire from public life, I beg leave to tender to you, and, through you, to our common constituents, my grateful thanks for the many evidences of their kindness and partiality towards me—humbly beseeching an all-wise and gracious Creator to direct your counsels by wisdom, and to take the interests of our beloved State into His high and holy keeping.

J. W. MATTHEWS.

Executive Chamber, *January* 7, 1850.

AUDITOR'S OFFICE,
JACKSON, *January* 11, 1850.

Hon. JOHN J. MCRAE, *Speaker*
of the House of Representatives:

SIR—Herewith I have the honor to hand you my Report of the Receipts and Disbursements of the Public Moneys from the 1st day of January, A. D. 1848, to the 31st day of December, A. D. 1849, both inclusive, to be laid before the Legislaure.

I am, most respectfully, your obedient servant,

GEO. T. SWANN,
Auditor of Public Accounts.

ACCOMPANYING DOCUMENTS.

AUDITOR'S OFFICE,
JACKSON, *January* 11, 1850.

To the Legislature of the State of Mississippi:

In obedience to law (Code of Mississippi, Sec. 5, p. 393,) I have the honor to submit the following report of the receipts and expenditures of the public moneys, from the 1st day of January to the 31st December, 1848, inclusive, and from the 1st day of January to the 31st day of December, 1849, inclusive.

Document A, herewith transmitted, exhibiting the assessment of lands for the fiscal years 1848 and 1849, together with document B, exhibiting the assessment of persons and personal property for the year 1848, will show the total assessments of the State for 1848, according to the assessors' returns, to be..... $437,243 83

The assessment of land, above referred to, and document C, herewith transmitted, containing the assessments of persons and personal property for the fiscal year 1849, will show the total assessments for 1849, according to the assessors' returns, to be (assuming that the returns from Claiborne, Copiah and Marion, from which, as yet, no proper returns have been received, to be the same as in 1848,).. 422,460 95

The total revenue means of the State, for the fiscal year 1847, as charged to the collectors in settlement at this office, (the details of which will appear in document D, herewith transmitted,) were as follows, viz:

Assessment returns for the year 1847,	$377,228 32	
Additional returns.....	123,286 63	
Insolvencies collected.....	674 10	
25 per cent. damages on delinquent tax payers.....	1,430 89	
30 per cent. damages on delinquent tax collectors.....	180 91	
	502,800 85	
To which add this amount, overpaid by collectors, but allowed them in settlement in 1849.....	281 73	
Making a total of.....		$503,082 58

Of this sum the following amounts were allowed to collectors, viz:		
On account of insolvencies.....	$9,707 09	
" " commissions for collecting	10,664 66	
" " " " assessing	1,229 13	
" " tax on State lands.....	4,285 51	
" " erroneous assessments..	2,361 45	
" " State deeds, for lands at tax sales.....	7,262 27	
" " taxes enjoined.....	21,956 15	
Refunded on overpayments.....	201 25	
Receipt warrants to the treasurer.....	343,082 39	
Making a total of.....		$400,749 90
And showing a balance due, on the 1st January, 1849, of.....		$102,332 68
Since which period $1,519 25 of this amount has been settled; leaving outstanding, on the revenue settlements for 1847, the sum of.....		100,813 43
which will be hereinafter explained.		
On settlement of the balances due the State by the tax collectors, prior to the year 1847, allowances have been made them as follows, viz:		
On account of insolvencies.....	$1,190 36	
" " erroneous assessments...	1,550 85	
" " commissions for assessing	113 07	
" " " " collecting	1,740 47	
" " State deeds, (for lands at tax sales,).....	1,298 33	
" " tax on State lands.....	571 33	
" " taxes enjoined.....	2,652 70	
" " appropriations.....	100 00	
		$9,217 11
In addition to the payments into the treasury on account of the tax of 1847, as before stated, receipt warrants were issued during the year for payment of the following sums, viz:		
On account of State tax of 1843.....	$183 74	
" " " 1841.....	969 44	
" " " 1842.....	24 00	
" " " 1844.....	183 08	
" " " 1845.....	4,100 71	
" " " 1846.....	8,876 61	
" " " 1848.....	81 50	
" retail licenses for 1843.....	414 00	
" " " 1844.....	115 01	
" " " 1845.....	175 00	
" pedlars licenses for 1844.....	260 00	

On account of pedlars licenses for 1845	30	00	
" legislative department, refunded...	137	00	
" appropriations.....	4	95	
" land sales (of tax titles).....	130	27	
" redemption of lands.....	7,840	87	
" Two per cent. Fund.....	1,200	00	
" Literary Fund.....	122	15	
" Town Lot Fund.....	11,712	12	
" Seminary Fund.....	194	43	
" Chickasaw School Fund.....	4,513	30	
" Sinking Fund.....	13,601	11	
" Internal Improvement Fund, without receipt warrant.....	3,135	15	
Making.....			$58,004 60
Which, added to the receipts, as stated on the tax of 1847, constitute a total debit against the Treasury Department, during the year 1848, of.....			401,086 99
The disbursements by warrant, during the year 1848, were as follows, viz:			
On account of appropriations.....	$39,075	17½	
" Auditor's Contingent Fund.....	1,307	52	
" vaccine agency.....	400	00	
" commissions for assessing.....	11,777	51	
" Institution for the Blind.....	1,875	00	
" Contingent Fund of State Library	110	98	
" Chickasaw School Fund.....	331	00	
" Common Schools.....	125	00	
" Code of Mississippi.....	12,000	00	
" Distribution of Laws and Journals	639	48	
" executed slaves.....	3,539	50	
" Executive Department.....	8,623	60	
" " contingent fund.....	3,280	52	
" Elections.....	1,134	40	
" Penitentiary.....	10,486	10	
" Two per cent. Fund.....	81,187	50	
" Sinking Fund.....	1,100	00	
" Internal Improvement Fund....	553	52	
" Public Health.....	520	00	
" interest on funded debt.....	130	96	
" Judiciary.....	75,741	95	
" Lunatic Asylum.....	5,000	00	
" Literary Fund.....	3	84	
" State Library.....	886	37	
" Legislative Department.....	48,154	67	
" Locating State lands.....	108	00	
" Locating Chickasaw School lands	25	00	
" Militia.....	925	86	

On account of public printing, (State Printers,)	$7,717 49	
" all others	97 10	
" Revolutionary soldiers	2,460 43	
" Seminary Fund	23,950 00	
" State Hospital at Natchez	1,333 33⅓	
" State deeds	115 37	
Showing total credits to the treasury of		344,717 18
And an exeess of receipts, over disbursements, of		$56,369 81

Of the disbursements above detailed, $19,950, part of the disbursements on account of the Seminary Fund, $81,187 50, on account of the Two per cent. Fund, and $12,000, on account of the Code of Mississippi, are not *ordinary* heads of expenditure; nor is the sum of $1,200, received on account of the Two per cent. Fund, an ordinary head of receipts. Deducting these sums from the receipts and expenditures, respectively, we have the true excess of receipts over expenditures, in the year 1848, $168,307 31.

During the year 1848 a receipt warrant for $11,023 51 was issued, on account of the town Lot Fund, in favor of the Attorney General, payable in certain notes of the late Mississippi Union Bank, received by him of D. Shelton, Esquire, pursuant to a judgment of the circuit court of Hinds county, which yet remains in the hands of that gentleman, in consequence of a doubt in the mind of the treasurer as to his authority to receive said notes. It was issued by me at the request of the Attorney General, and to comply with the intent of "An act for the relief of David Shelton," approved February 4, 1841. The excess in amount over that mentioned in the act is the interest accrued. This amount, therefore, will not appear in the Treasury Report. A receipt warrant in favor of Thomas H. Marble, late a tax collector of Jefferson county, for $930, on account of the State tax of said county, payable in the notes of the Mississippi Railroad Company, was paid into the treasury in said notes on the 19th June, 1848; but, having been issued on the 28th June, 1843, it does not appear in the foregoing account of receipts.

The total revenue means of the State, for the fiscal year 1848, as charged to the collectors in settlement during the year 1849, (the details of which will appear in document E, herewith transmitted,) were as follows, viz:

Assessment returns for the year 1848,	$137,264 96	
Additional returns by collectors	3,388 23	
Insolvencies collected and reported	283 78	
25 per cent. damages on delinquent tax payers	1,664 27	

30 per cent. damages on delinquent tax collectors.....	156 00	
	$442,757 24	
To which add overpayments by collectors on tax of 1848, but refunded them on other settlements in the year or yet standing to their credit.....	133 85	
Exhibiting a total of.....		$442,891 09
Of this sum the following amounts have been allowed the collectors, viz:		
On account of insolvencies.....	$11,336 70	
" commissions for collecting.....	11,407 79	
" " " assessing.....	1,389 04	
" tax on State lands.....	2,967 48	
" erroneous assessments.....	1,624 66	
" State deeds.....	5,764 40	
" taxes suspended and enjoined.....	49,046 49	
" receipt warrants to the treasurer, including $81 50 already reported as paid in 1848, on the tax of 1848.....	358,617 52	
		442,154 08
Leaving an apparent balance due the State, on the tax of the fiscal year 1848, of.....		$737 01

three hundred and eighty-four dollars and twenty-nine cents of which consists of balances due the collectors for overpayments, and the residue, three hundred and fifty-two dollars and seventy-two cents, is now only due on the tax of 1848, as will appear by reference to documents D and E, in connection.

On settlement of balances due the State by tax collectors prior to the year 1848, allowances have been made them as follows viz:

For commis'ns for collecting taxes of 1847,	$312 61	
" " " " 1844,	289 22	
" " " " 1845,	100 00	
" insolvencies, 1844.....	228 80	
" tax on State lands for 1847.....	1 30	
		931 93

And receipt warrants have been issued for payment into the treasury as follows, viz:

On account of the Sinking Eund.....	$23,576 50	
" Seminary Fund.....	371 85	
" Two per cent. Fund.....	5,238 33	
" Three per cent. Fund.....	13,049 86	
" Brokers' licenses.....	100 00	
" Judiciary Department, refunded..	5 90	
" Legislative Department, "	18 00	

On account of appropriations, refunded...	$121 05	
" State tax of 1843.....	74 96	
" " " 1844.....	21 90	
" " " 1845.....	474 83	
" " " 1846.....	533 90	
" " " 1847.....	1,424 86	
" redemption of lands.....	4,918 38	
" land sales (of tax titles).....	6,145 16	
" errors in cash account of Hon. Wm. Clark, late treasurer.....	180 74	
" revolutionary soldiers, refunded.....	112 22	
" penitentiary.....	3,092 85	
To which add receipts of treasurer on account of Internal Improvement Fund, without receipt warrant.....	19,021 13	
		$78,482 42
Which, added to the receipts warrants before stated, on account of the State tax for 1848, constitute a total debit against the Treasury Department during the year 1849, on the books of this office, of....		437,018 44
The disbursements, by warrant, during the year 1849, have been as follows, viz:		
On account of Literary Fund.....	$ 48 69	
" Executive Contingent Fund.....	2,125 41	
" Internal Improvement Fund.....	262 77	
" Auditor's Contingent Fund.....	1,462 60	
" State Library Contingent Fund..	38 00	
" Two per cent. Fund.....	121,555 48	
" Chickasaw School Fund.....	214 50	
" Distributing Laws and Journals..	187 99	
" Lunatic Asylum.....	5,000 00	
" State deeds.....	34 38	
" Brokers' license.....	100 00	
" Legislative Department.....	720 00	
" Judiciary Department.....	83,280 88	
" Executive Department.....	8,663 32	
" Appropriations.....	517 19	
" Penitentiary.....	10,106 42	
" State Library.....	621 00	
" Militia.....	612 33	
" revolutionary soldiers.....	1,859 76	
" commissions for assessing.....	9,394 18	
" common schools.....	16 67	
" Public Printing—State Printers..	1,602 05	
" " " all others.....	248 90	
" Elections.....	3,004 00	
" Vaccine Agency.....	400 00	
" executed slaves.....	3,312 50	

On account of University of Mississippi,	$11,701 03	
" Locating State lands.....	1,025 00	
" State Hospital at Natchez.....	1,333 33	
" Institution for the Bliud.....	1,375 00	
Making the total credits to the treasury, during the year 1849.....		$270,823 38
And showing an excess of receipts over disbursements, for the year 1849, of.....		166,195 06

But among the disbursements, by warrant, the sums mentioned on account of the Two per cent. Fund, State Hospital at Natchez, Lunatic Asylum, Brokers' License, and Institution for the Blind, amounting to $129,363 81, are not ordinary expenditures; nor are the receipts on account of the Two and Three per cent. Funds, brokers' license, land sales, errors in cash, revolutionary soldiers, appropriations, Legislative and Judiciary Deparments, amounting to $24,971 06, to be considered as *ordinary* receipts Deducting these amounts from the whole receipts and disbursements, respectively, the true excess of receipts over disbursements, on *ordinary account*, is..... $270,587 81

A recapitulation of the total receipts and disbursements, on every account, during the two years of 1848 and 1849, will exhibit the following results:

Total debits against the treasury in 1848,	$401,086 99	
" " 1849,	437,018 44	
		$838,105 43
Total credits to the treasury in 1848,	$344,717 18	
" " 1849,	270,823 38	615,540 56
Excess of receipts, from all sources.....		$222,564 87
But, to exclude from the calculation the extraordinary receipts and disbursements, as stated, the following will appear:		
Total debits against the treasury would have been, in 1848,		399,886 99
" " " " 1849,		412,047 38
		$811,934 37
Total credits would have been, in 1848,	$231,579 68	
" " " 1849,	141,459 57	
		373,039 25
Shewing excess of receipts over disbursements, on *ordinary* account.....		$438,895 12
From document D, before referred to, it will appear that the total assessed means of the State, for the fiscal year 1847, according to the assessors returns, were.....		377,228 32
From which the treasury realized.....		344,507 25
Showing a difference between the assessments and cash receipts on that year of.....		$32,721 07

And from document E, entitled "Revenue Settlements for the year 1848," it will appear that the total assessed means, for the fiscal year 1848, according to the returns, as corrected and stated therein, were..... $437,264 96
From which the treasury realized..... 358,617 52

Showing a difference, in this year, of..... $78,647 44

From this it would appear that the State had sustained a loss upon the sum of $814,493 28, assessed means of two fiscal years, equal to $111,682 42, but there is reason to believe that the amounts of $71,002 64, suspended on injunctions in behalf of the banks, and $15,995 95, allowed on account of State deeds for lands struck off to the State at tax sales, and for taxes on the same afterwards, in the two years, will be ultimately realized on these assessments. The realization of the amount absorbed in the allowances for State deeds would be materially hastened by a reduction of the damages imposed by law on the redemption of the lands so sold. Even if not redeemed, the lands are worth much more than their cost; as, under the existing law, a tax collector's deed is *prima facie* evidence of good title, impeachable only for fraud or neglect in the officer. Care has been taken to see that the deeds executed in 1848 and 1849 should conform to the law.

On a review of the settlements of the collectors, during the years 1848 and 1849, it will be perceived that they have been unusually prompt and full. I have not felt authorized by law to allow any delay, or to omit charging damages in any case of delinquency. Of the principal revenue of the year 1847, due 1st May, 1848, only six hundred and forty-six dollars and forty-three cents remains due and unsettled. This amount was stolen from the collector of Newton county, under circumstances which have induced me, with the assent of his excellency the Governor, to withhold a suit for the amount until the collector can present his petition for relief to your body. Though it may not be expedient to relieve him from the debt, it is yet a fair case for the clemency of the legislature, in extending him time, and remitting the damages, upon satisfactory guaranties of payment. The other small balances due on that year consist of thirty per cent. damages charged against collectors who did not pay exactly at the time required by law, but discharged the whole principal in a short time after. One of them has confessed a judgment for the amount so due from him. Having made full payment, within a short time after it was due, they design petitioning your body for a remission of the damages; and, in order to enable them to do so, I have been authorized by his excellency the Governor to withhold a further prosecution of them until the pleasure of the legislature on this subject can be made known. The same remarks, with slight exceptions, will apply to the small balances due on the tax of 1848.

I beg leave again, in this place, to renew the recommendation

made to the last legislature, to grant the Auditor of Public Accounts the power to omit the charge of damages against the collectors, upon the written opinion of the Governor and Attorney General being filed, stating that the delay was not wilful or avoidable by the collector. No discretion, however, in the premises ought to be allowed the Auditor.

An ineffectual effort has been made to realize the taxes due from the banking incorporations of the State, according to the requisitions of "An act to enable the tax collectors more efficiently to collect the revenue of this State," approved February 25th, 1848; but, in every instance, except that of the Northern Bank of Mississippi, the State has been enjoined, or is otherwise prevented from collecting, and suits are now pending, or necessary, to enforce collections.

Where the charters of the banks have been vacated by judicial proceedings on quo warranto, the assessors have been instructed that, after that event, there is no longer any tax to be assessed on "capital stock," as such. But, inasmuch as the moneys paid in on capital stock have been loaned to individuals by these corporations, the assessors, conformably with the advice of the Attorney General, have been directed to assess to the trustees, or the assignees of such corporations, all their propeety, real and personal, and the assets representing their "money loaned at interest," &c. which have come to their hands, in virtue of their trusts. These assessments have been made, but, in most instances, have been set aside by the boards of police, or the collection enjoined in chancery, on the petitions of the trustees. The right of the boards of police to reduce or set aside these assessments being denied, the collectors have not been absolutely credited, in their settlements, with the amounts so allowed them by the boards, but they have been entered on their accounts as "taxes enjoined," or "suspended assessments," in order that the legal questions involved in the various police orders and injunctions in chancery may be fully determined by the courts, before a final settlement of their revenue accounts. Pursuant to my directions, in this connection, a heavy assessment was returned by the collector of Warren county, in 1848, for arrearages due by the late United States Bank of Pennsylvania, or their trustees, on large loans made by it, several years sinoe, to the Commercial and Railroad Bank of Vicksburg. A small portion of this loan was assessed in 1841, and an injunction obtained by that bank against the collection of the tax, which has been pending since, until last January term of the High Court of Errors and Appeals, when, by its decree, the right of the State to the tax was affirmed. Another injunction, on some new ground, has been since obtained by the agent of the trustees. The assessment made embraces the arrearages on their loan to that bank. It is believed that the State will ultimately recover the whole of this tax, including the damages imposed by law for failure to pay the same when

due. The amount of principal due from this bank, including the tax of 1848, and without that of 1849, is $25,932 00.

The arrearages of taxes on stock, and on the assessments for 1848 of the loans by the banks whose charters have been forfeited, as far as I have been able to collect them, from sources somewhat imperfect, amount to the sum of $225,518 98, exclusive of damages, and are as follows, to wit:

From the Commercial Bank of Rodney:	
On capital stock, for the years 1843, 1845, 1846 and 1847	$5,350 00
" Moneys loaned, &c., for the year 1848	5,583 81
Bank of Port Gibson:	
On capital stock, for the year 1845	1,315 20
" Monies loaned, &c., for 1848	678 00
Grand Gulf Bank:	
On moneys loaned, for the year 1848	2,400 00
Commercial Bank of Manchester:	
On capital stock, for the years 1842, '43, '44, '45, '46, and '47	5,638 90
(For the year 1848, part paid, but portion yet to assess)	
Bank of Mississippi, or Lake Washington and Deer Creek Rail-Road and Banking Company:	
On capital stock, assessed first in 1848, arrearages from 1839 to 1848, inclusive	15,000 00
Commercial and Railroad Bank of Vicksburg:	
On capital stock, from 1841 to 1847, inclusive	78,000 00
" " for year 1848	9,679 00
Bank of Vicksburg:	
On capital stock, for 1846 and 1847	600 00
Commercial Bank of Natchez:	
On capital stock, from 1841 to 1847, inclusive	29,479 43
" Money loaned, &c., for the year 1848	7,937 62
Agricultural Bank:	
On capital stock, from 1841 to 1847, inclusive	33,946 68
" Money loaned, &c., for the year 1848	3,978 34
To which, add the *United States Bank of Pennsylvania* on money loaned, &c., as above stated	25,932 00
And shewing the total stated, without damages	$225,518 98

The remedy for the collection of the taxes on capital stock, provided by the above recited act, may not extend to the taxes assessed on their loans. A provision to enforce the collection of these assessments in the same manner is necessary, in the event of

their being sustained by the courts, to which the trustees and assignees have resorted in opposition to the claims of the State. A remedy is also needful, to prevent these officers from settling and discharging these claims, to the prejudice of the State, until the injunctions obtained by them, are decided. I am informed that many notes, &c., advertised by the collectors for sale, for the arrears of taxes due, have been so settled by the trustees with the debtors, while the injunctions are yet pending and undecided. The trustees of the two banks at Natchez, hereinbefore mentioned have been enjoined, on bills filed by the late Attorney General, from further distribution of their assetts, until the claims of the State against them, can be heard and adjudicated. The same procedure ought to be directed against all the trustees of the forfeited banks; and the officers of such as are not forfeited, but are contesting the demands of the State for taxes. A vigorous prosecution of these claims, with the aid of the necessary legal enactments to enforce collections, will result, it is believed, in the ultimate collection of the greater portion of the arrearages stated. For a clear and satisfactory statement of the grounds of controversy between the State and the several banks referred to, I beg leave to refer your body to a communication on this subject, herewith transmitted, marked, Document H., from the late Attorney General.

It is proper also, to observe that some provision is necessary to secure the service of competent counsel in such of these causes, as originate in the District Chancery Court; neither the Attorney General nor District Attornies, are required by law, to attend these courts.

It is my duty also to state, as well in relation to the taxes due on the loans of the banks, whose charters have been annulled, as to those due from non-residents having loans outstanding, and due, within this State, that the provisions of the present law are very inadequate to secure a full assessment and collection of them. It is often difficult for the assessor to obtain a full disclosure of the loans made in the State by non-residents. They may not choose to appoint an agent to render the officer this account, and the loan is consequently, not assessed. Neither is any provision to be found in our revenue law, by which property of a money lender, situated in a different county, from that which the loan is assessed, can be made liable to satisfaction of such assessment. At present, an assessment can only be certified from one county to another, in case of a *removal* of the person assessed from a county, after the assessment is made. The property of a non-resident, in the case supposed, could not be reached at all under the present law.

Directions have been given to the assessors to assess the sales of slaves as merchandize, (since the act of 1846, restoring that trade,) by persons travelling with them from point to point, offering them for sale; as "merchandize, sold by transient vendors." It is contended by some, that a citizen, who is a trader, is not subject to

the tax on "transient vendors," though he may carry his merchandize from place to place. Various other expedients have been also resorted to, to avoid the difference of the rate of taxation on slaves as such, and when sold by transient traders as merchandize.—Large numbers are sold, and the sellers are not assessed with the sales. The assessments were directed after a consultation with the Attorney General. A suit was instituted by a vendor, in the Circuit Court of Itawamba, against the collector, for an amount he had paid on one of these assessments, and judgment was rendered for the amount against him last spring. In consequence of this judgment, the assessment on which the judgment was founded, together with another, paid to the assesor, and yet in his hands, but charged to the collector, amounting in all, to $254 19, is yet standing against the collector on my books. He has taken the cause to the High Court, in which I have requested the Attorney General to appear for the plaintiff in error, as on its decision, depends the right of the State to the tax in question. No suit, of course, has yet been brought against the collector for it, as I thought it expedient to await the decision of the High Court in the case made.

The "Act to provide for the sale of lands purchased by the State at tax sales," approved March 4, 1848, required me to furnish the Sheriff of each county in the State, a list of all lands and town lots remaining unredeemed, of those sold to the State for taxes, to be sold by the Sheriffs, and accounted for, as other moneys received for taxes. The deeds remaining in this office, were examined by me separately, and compared with the entries on the file books of the office of those redeemed, and lists of such as so appeared unredeemed, were forwarded conformably to the law, duplicates of which were retained on a record book, made for the purpose. Many of the lists were not forwarded in time for the advertisement required by the act to be made before the fall terms of the courts, so that some of the sales were not made till the spring of the last year. The third section of the act secured the owners the right of redemption until the sale; and as the previous law required the lands redeemed to be erased from the deed executed to the State, on redemption, the deeds were also delivered to the Sheriffs, except from the two counties of Tippah and Winston, which have not been taken away by the Sheriffs. The lists have been accounted for with a few exceptions, unnecessary to be here enumerated. Commissions at three per cent. were allowed the Sheriffs on the amount received by them. In a few counties, some tracts offered, were not sold for want of bidders, and the lands yet remain subject to redemption in the hands of the Sheriffs. These tracts, however, are very few.

The sale of several large tracts in Washington and Sunflower, was enjoined by the Hon. George Poindexter, but the suit is yet undecided.

The whole cost of these sales to the State, prior to the year 1848, inclusive of the amounts allowed in years subsequent to the

sales, for taxes due the State and counties upon them, for acknowledgment and registration of deeds, and for printer's fees, as far as I can collect it from reports to the Legislature, previous to that period, was..... $77,210 40

The amount allowed for taxes, on them in 1848, was..... 4,963 30

Making their total cost, including allowances on them..... $82,173 70

The amount realized on redemption, previous to 1st of May, 1848, was.... 23,839 28

To which is to be added the proceeds of the lists forwarded the sheriffs, amounting to..... 8,914 83

32,754. 11

The difference between these receipts and the first cost and allowances as stated, is..... $49,419 59 which is the loss of the State on the sales previous to the year 1848.

It will be seen that the prices at which they were sold were merely nominal, and that very few were redeemed. This resulted from the fact, that the titles of the State, under all the earlier sales for taxes, were extremely doubtful; and from the further consideration that the act of 1848 restricted the right of redemption, and made the sale without reserve.

The law still continues in force, requiring the collectors to convey to the State all delinquent lands, on which no one will bid the taxes and costs due. A number of tracts, amounting to about three hundred and ninety-six thousand six hundred and eighty-two acres, and three hundred and eighty-four town lots, have been struck off to the State, in 1848 and 1849, of which a particular account is contained in Document I, herewith transmitted.

There are now on file, about eleven hundred and thirty-eight deeds, made to the State in 1848, and twelve hundred and thirty made in 1849; the former of which must be recorded under the present law in 1850, and the latter in 1851, which will cost the State near four thousand dollars. It is respectfully submitted, whether this expenditure may not be safely and profitably avoided, by an enactment, requiring the Auditor of Public Accounts to furnish, annually, to the probate clerks, lists of such lands sold to the State, as have remained two years without redemption, and substituting the registry of this list on a file-book of the clerk of probate, for the registration of so large a number of deeds. The heavy allowance of two dollars for each deed of the collectors, may also be well avoided, by dispensing with the execution of any deed by the collector, and requiring that officer annually to furnish sworn lists, in duplicate, of such lands as are not sold for want of any person bidding the taxes and costs, with a statement

of the taxes and costs due, one of which should be recorded in the clerk's office, and the other filed in this office. These lists, when recorded, may safely be substituted for deeds, as evidence of the title of the State. Much the greater portion of the allowances to the collectors on this account, is for the mere execution and acknowledgment of the deeds.

Indeed, a great annoyance to tax-payers would result from an act to dispense with sales of lands for taxes due on them altogether, and forfeiting all lands directly to the State for non-payment of the tax on the first Monday in April, as required by law. The right of redemption from the State, at a low rate of interest on the taxes due, should of course be reserved, and this would ensure their redemption. Infinite embarrassment of titles by tax sales, heretofore experienced, especially by non-residents, would thus also be avoided in future. The redemption should be directly from the State through this office; and the accounts of the Auditor on this head should be subjected to the examination of the Treasurer, or some other officer of the State, monthly.

In connection with this subject, it is proper that I should inform the Legislature, that since the last adjournment, I have charged to my predecessor the sum of $2,736 50, which appears to have been received by him on account of redemption of lands, more than appears to have been paid by him to the Treasury. The debit against him is predicated upon his official entries on the file-books, and other papers in the office. He declined payment of the amount so charged to him, on a claim of certain set-offs for extra services, alleged to have been performed by him during his several official terms, which I had no authority of law to allow as credits to his account. A suit is pending in the circuit court of Hinds county on this account, together with another in the chancery court, instituted by him against the State; in which I am informed by the late Attorney General, the amount due has been secured by Col. Matthews, in the event of a decree against him.

As it falls within the duties required of me by law, in this report, I beg leave to suggest to your honorable body, some difficulties resulting from imperfections in the present revenue law.

There are two distinct provisions as to the return of the assessment-rolls to this office; one requires the copy to be deposited in this office by the assessor, and the other a copy to be forwarded by the clerk of the probate court. The result is, that frequently, both copies are sent. But, under the provisions of the law, if neither should be sent, it might be not only difficult to fix the responsibility for the neglect, but a greater difficulty would be felt in making the proper revenue charges to the accounts of the collector.

There is no direct authority given the Auditor, to direct a suit against an assessor for failing to deliver his returns at the required time. The present law is indefinite, as to the extent of the power given to the boards of police, in correcting an assessment-roll.

The power ought not to extend beyond a given day, nor its exercise allowed after the roll has been corrected and sent to this office, and made the foundation of a charge to the collector. The assessor, and such witnesses as he may suggest, ought to be summoned to attend at the court held for settlement of appeals against his assessments; otherwise, the State is not represented before the board. The assessment-roll ought to be made final, after the time assigned for hearing and determining appeals.

The reason for requiring a valuation and assessment of the vacant and untaxable lands in the State, having ceased, there is no necessity for this to be repeated in every biennial assessment. The assessors receive no compensation for this labor, and it constitutes nearly half the matter of every land-roll. The rolls are returned, in many instances, in such large and inconvenient shape, that there is no place in which they can be carefully deposited in the office. Their preservation seems to be of sufficient importance to authorize the State to incur the expense of furnishing the assessors the books or rolls, of uniform size and form, which are to be returned to this office. The cost would not probably exceed five hundred dollars.

It is also suggested, that real property is now sufficiently stable in value, in the State, to justify dispensing with assessments of land at such short periods. An assessment of land might well be allowed to continue four or six years, with suitable provisions requiring intermediate returns of all new entries or purchases.

There is no necessity for, but rather a confusion resulting from, requiring the assessor to set down on the roll the name of the owner or first purchaser of land. At any rate, a mistake as to the true owner on the part of the assessor, ought not to be allowed to vitiate his assessment. It is hardly to be presumed that they can be accurately informed on this point, especially in case of disputes regarding the title.

Immediately after the adjournment of the Legislature, in March, 1848, the requirements of the second, third, and fourth sections of an act, authorizing, "Certain alterations in the offices of Auditor and Treasurer," were complied with, by the erection of the counters and desks directed. The drawers in this office were, also, painted and numbered as required.

As far as the intervals of current business have allowed, I have endeavored to arrange all the old papers of the office in proper drawers, separately, with an index to the same. The first section of the act has been complied with, by the introduction of an "Individual Journal and Ledger." The check it provides against duplicate allowances of the same claims is nearly complete. But the labor needed for these books, is much greater than contemplated by the Legislature. The book-keeping of the office has been nearly or quite doubled. With the aid of the accounts, as stated at this desk, I am enabled to present, in tabular form, in Docu-

ments F and G, herewith transmitted, a statement of the disbursements, by warrant on claims originating in each several county, from the first day of May, A. D., 1848, when the books were opened, to the first day of May, 1849; and from the first day of May, 1849, to the 31st December, 1849. By a comparison to these tables, compiled with care, the Legislature will discover the amounts paid on each several head of public service in the counties, and may ascertain. also, from these, in connection with the revenue settlements in Documents D and E, the comparative income and expenditure on account of each county.

In the course of the past fourteen months, the accounts of clerks and returning officers of the Presidential election have amounted to near nineteen hundred in number, on the Individual Journal. This will occur every fourth year. The accounts of grand jurors and bailiffs, during each year, will average, on the books, near two thousand entries. There is no necessity for the separate certificates of grand jurors and bailiffs to be entered on the books of this office, or for them to remain unpaid until they can apply separately for their dues at the seat of government. These parties suffer a considerable inconvenience from the delay of payment under the present system. It would be much more just and convenient for them, if the circuit courts should be required to cause their accounts, for attendance at each term, to be made up, and an order entered on the minutes, for the amount in favor of the sheriffs or clerks, requiring him to pay the jurors and bailiffs immediately on receipt of the money by him from the Treasury. Such an arrangement would materially reduce a large volume of accounts, which now encumber the books of the office, without any benefit to the State; and at the same time enable those who serve as jurors and bailiffs, to realize their pay at once, without abatement.

An account is herewith transmitted, marked Document K, showing the expenditure of the Auditor's contingent fund, during the years 1848 and 1849, in detail, as required by the statute creating that fund.

I have endeavored, with the aid of the Hon. Jefferson Davis, to procure from the United States Treasury, the amount paid out by the State, under the act approved March 4, 1848, "for the relief of the officers and privates of company I, of the Marshall guards, of the first regiment Mississippi rifles," as required by the act. Payment of the money, so advanced by the State, has been refused by the Government at Washington, for reasons stated in the opinion of the Treasury officer and Secretary of War, herewith transmitted, marked Document L. I will observe, that the evidence required, as preliminary to the allowance, is not in possession of the State.

On the 17th day of July, 1848, I issued my warrant, No. 250, for ninety-seven dollars and fifty cents, to Nicholas Messenger, of Wilkinson county, upon a certificate in his favor, as a witness in

a protracted State trial, running through several years, from the clerk of the circuit court of that county, for that amount. On subsequent examination, I found that the certificate was issued for an excess of thirty-two dollars and fifty cents, the clerk having overlooked an enactment in 1826, reducing the compensation to State witnesses. This act is omitted in the chapter on Evidence, in the Digest then in use, to which I resorted on examination of the claim, but was found in another chapter, on subsequent examination.

The error on my part, arose from the defect in that Digest. It was ascertained, after the warrant had been transferred, and the witness, though requested, has failed to refund the excess. I submit the case to the Legislature, under the circumstances, and will myself refund it, if it be the pleasure of your body.

In obedience to the act of July, 1843, I submit the following estimate of the receipts to be anticipated, and of the expenditures required, in the years 1850 and 1851.

Assuming the assessments for the fiscal year 1850, as equal to those for 1849, I estimate the gross revenues due and payable in

1850 at.....	$422,460 95
And in 1851 at.....	417,060 95
Making a total of.....	$839,521 90

From which deduct probable allowances, on settlement with collectors, namely:—

For insolvencies in the two years...	$23,000 00	
For commissions for collecting.....	23,000 00	
For tax on State lands.....	6,000 00	
For State deeds.....	8,000 00	
For erroneous assessments.....	3,000 00	
For commissions for assessing.....	2,800 00	
For taxes enjoined and suspended....	50,000 00	
Estimated deductions from assessed means.....		115,800 00
Leaving an amount, probably to be realized in cash, of.....		$723,721 90

Estimated Expenditures.

	In 1850.	In 1851.
Judiciary department.....	80,000 00	80,000 00
Legislative department...	48,000 00	.....
Appropriations.....	30,000 00	.....
Commissions for assessing	12,500 00	9,500 00
Public printing.....	8,000 00	2,000 00
University of Mississippi..	11,500 00	11,500 00
Execu. contingent fund....	4,000 00	4,000 00
Auditor's contingent fund ..	1,500 00	1,500 00

Revolutionary soldiers	1,800 00		1,800 00	
Militia	600 00		600 00	
State library	1,000 00		1,000 00	
Recording tax titles	2,500 00		1,500 00	
Executed slaves	3,000 00		3,000 00	
Institution for the blind	1,000 00		1,000 00	
Vaccine agency	400 00		400 00	
Cont. fund, State library	200 00		200 00	
Executive department	8,600 00		8,600 00	
State hospital at Natchez	1,333 33			
Penitentiary	10,000 00		10,000 00	
Distribut'g laws and journ'ls	800 00			
	$226,733 33		$136,600 00	

Exhibiting an estimate of expenditures, in the ensuing two years, of $363,333 33

Which, deducted from the nett receipts anticipated, will give, in the two years, an excess of receipts amounting to $360,388 57

These estimates are liable to be varied by so many contingencies, that they should be received with great caution. In the nature of the case, they must be uncertain. Considerable receipts may accrue from the sources confided to the State Commissioner, of which I am, of course, unable to form any estimate.

Should my suggestions in relation to the execution and registry of deeds for lands struck off to the State, for taxes, and to the extension of the terms, for which assessments of real estate shall stand after 1850, meet with the favor of the Legislative body, the allowances for State deeds, tax on State lands, and commissions for assessing, will be much reduced, and the nett receipts proportionably greater.

While engaged in arranging and filing the papers found loose in the office, in the summer of 1848, I found an Auditor's pay warrant, No. 3,536, payable to William M. Brown, or bearer, for thirty dollars, on the Legislative department, dated 15th January, 1844, which is genuine, enveloped in a paper, on which is the following endorsement, without signature:—"$30. to the credit of W. J. Waller, of Virginia, subject to the order of R. Cook, Esqr., Lexington, Miss., to redeem his land." I have not felt authorized to deliver this warrant to any person, without some direction from the Legislature, though I incline to the opinion that it was received by my predecessor, from an agent of Mr. Waller, and was probably mislaid by him.

Regular monthly statements of receipts, at the Treasury, have been received at this office, during the two years, 1848 and 1849, and are on file. They exhibit the receipts according to the charges

against the Treasury, on my books, except the warrant on account of the Town Lot Fund, hereinbefore adverted to.

My books and accounts are ready for examination, by your committee. In advance of such examination, the strict scrutiny with which they have been reviewed by myself, warrants me in this communication in bearing testimony to the untiring industry, as well as the fulness and accuracy with which they have been kept, by those whose services I have been so fortunate as to secure at both the desks.

If the foregoing report should seem prolix, I trust it may be excused, on the ground of my anxiety, to present to the representatives of the people, full information on all the interests embraced in the department of the public service committed to my charge.

I have the honor to remain,
Most respectfully,
Your obedient servant,
GEO. T. SWANN,
Auditor of Public Accounts.

[DOCUMENT H.]

AUDITOR'S OFFICE, JACKSON,
Dec. 19, 1849.

Hon. JOHN D. FREEMAN,
Jackson,

Dear Sir:—I am desirous to present to the Legislature a briet statement of points, made by the several banks, in their suits now pending, in which you have appeared, so that additional Legislation, if necessary, may be adapted to them.

You will be able to do this in a much more concise and satisfactory form, than my limited knowledge of the pleadings will enable me to do. If you can furnish me a note to accompany my biennial report, before the 25th inst., you will very much oblige,

Your obed't serv't,
GEO. T. SWANN,
Auditor of Public Accounts.

JACKSON, Dec., 20, 1849.

Hon. GEO. T. SWANN,
Auditor, etc.,

Dear Sir:—Your letter of Dec. 19th has been received, and contents noted.

Elijah Peale, trustee of the Agricultural Bank of Natchez, has enjoined the collection of the taxes assessed against that bank, upon the ground that the board of police, of Adams county, has remitted the taxes so assessed. It appears that the officers of the bank, after the several assessments were made, represented to the board of police, that the capital stock of the bank was not at par in the stock market, and the board of police, on this account, remitted the amount of tax now claimed by the State. The charter of the bank authorized a tax of twenty-five per cent. on the one hundred dollars of *capital stock paid in*, and the revenue law required this to be assessed and collected. There is no law authorizing the capital stock of this bank to be taxed at its par value in the stock market; and the act of the board of police in remitting these taxes was, in my opinion, void.

William Robertson, trustee of the Commercial Bank of Natchez, has enjoined the collection of the taxes assessed against that bank, for the same reasons as above stated, and I regard them as equally fallacious.

Person & Marye have enjoined the collection of the taxes assessed against the Bank of Port Gibson, upon the same grounds as those above stated, and they further charge that the assetts of the

bank were assigned to them in the year, A. D., 1843, before the taxes were levied, and that therefore, the assetts of the late bank are not liable for the tax. By statute of this State, the State lien for taxes is superior to all other encumbrances.

The Grand Gulf Bank is in a situation similar to that of the Bank of Port Gibson.

Freeland and Murdock, assignees of the Commercial Bank of Rodney, set up a similar defence to the collection of the taxes assessed against that bank.

In the case of the Commercial Bank of Vicksburg, the taxes have not been remitted by the board of police, but the bill for injunction sets up the same defence; and further, that by the charter of the bank, a tax of only twenty-five cents on the one hundred dollars paid in, can be levied—that the State has levied this amount for her State tax, and the same amount has been levied for county tax, which is charged to be *unlawful*. If this be true, it would not defeat the State tax.

The trustees of the Commercial Bank of Manchester, deny the validity of the assessment, and charges that all lawful taxes have been paid.

The assetts of the Bank of Mississippi were seized, under a decree of the chancery court, and placed in the hands of Charles A. Lacoste, a receiver for the benefit of creditors, before the taxes were assessed, and he refuses to pay the same for want of authority, until the chancellor shall so direct. Lacoste resides at Natchez, and has assetts of the bank in his hands, to the amount of two hundred thousand dollars, or thereabouts.

John Bacon, and others, trustees of the United States Bank of Pennsylvania, have enjoined the collection of $29,104, assessed against the bank for State and county taxes, on money loaned within this State by said bank, to the Commercial and Railroad Bank of Vicksburg. They do not deny the loan of the money, but insist that the United States Bank of Pennsplvania is not liable to a tax on money loaned within the State by the terms of the revenue law, authorizing a tax on money loaned. There is no exception in favor of that bank, and it is difficult to perceive why the agents of that bank should be permitted to loan its capital and take mortgages on valuable property here, without paying the tax which our own citizens pay.

The questions of the power of the boards of police, to remit the assessments of taxes, against the Natchez banks, are now before the high court on appeal from the vice-chancery court at Natchez.

Yours, respectfully,

JOHN D. FREEMAN.

[DOCUMENT K.]

Expenditures on account of the Auditor's Contingent Fund, from the 1st January, 1848, to the 31st December, 1849, inclusive.

1848—DATE.	NO. WAR'T.	TO WHOM ISSUED.	FOR WHAT PURPOSE.	AMOUNT.
Jan. 5.....	614	J. E. Matthews,	Hire of boy George during the year 1847,.....	$90 33
Jan. 20....	754	Moore & Carpenter,	Stationary for Legislature,.....	425 75
Jan. 21....	757	L. Julienne,	One ream of paper for Legislature,.....	15 00
Febr'y 1...	852	J. T. Hull,	One and a half gross lamp-wick for Legislature,.....	2 25
Febr'y 1...	855	J. & T. Green,	Stationary for Legislature,.....	48 74
Febr'y 1...	866	Joseph Spengler,	Coal for Superior Court of Chancery and High Court,.....	13 50
Febr'y 2...	869	J. E. & S. Matthews,	Fifty-three loads of wood,.....	53 00
Febr'y 5...	929	R. Warnock,	Six bolts ribbon for Legislature,.....	2 20
Febr'y 11..	968	L. Julienne,	One ream paper for Legislature,.....	15 00
Febr'y 16..	1015	J. M. Lewis,	One month hire of Ephraim to wait on Public Offices,.....	12 00
Febr'y 17..	1020	J. M. Lewis,	Hire of Ephraim to wait on Public Offices,.....	6 66
Febr'y 22..	1079	Moore & Carpenter,	Stationary for Legislature,.....	211 00
March 4...	1262	J. A. Kausler,	Hire of boy Ephraim,.....	5 34
March 17..	1408	H. Hipple,	Book-rest for Treasurer's office,.....	1 50
March 30..	1432	J. & T. Green,	Quills for Legislature,.....	10 00
April 3....	1444	J. W. Miller,	One month hire of Ephraim,.....	12 00
April 5....	1450	J. W. Matthews,	Removing wood behind the Capitol,.....	5 00
April 7....	1354	W. Hemingway,	Stationary bought of Green for High Court,.....	17 87
April 26...	1520	Richardson & Fearn	Candles furniuhed Public Offices,.....	69 00

May 2.....	15	R. Warnock,	One month hire of boy Ephraim,.....	12 00
May 8.....	50	L. Julienne,	Books for Treasurer and Auditor's offices,.....	154 00
June 6.....	165	E. M. Avery,	One month hire of Ephraim,.....	12 00
July 1.....	233	E. M. Avery,	One month hire of Ephraim,.....	12 00
Aug. 1.....	272	W. L. Patton,	One month hire of Ephraim,.....	12 00
Aug. 15....	305	Moore & Carpenter,	Stationary for Public Offices,.....	2 50
Aug. 25....	336	W. L. Patton,	Hire of Ephraim,.....	8 00
Sept'r 28...	401	L. Julienne,	Books for Auditor and Treasurer,.....	21 50
Oct. 20....	443	J. J. Ligon,	Hire of Ephraim,.....	24 00
Dec. 21....	704	Moore & Carpenter,	Stationary for State Offices,.....	6 83
Dec. 23....	707	J. Calquhonn,	Five cords wood,.....	10 00
Dec. 27....	715	Fearn & Putnam,	Candles for State Offices,.....	16 55
1849.				
Jan. 1.....	732	Joseph J. Ligon,	Hire of boy Ephriam,.....	28 00
Jan. 22....	786	George T. Swann,	Money paid by him for wood,.....	1 25
Jan. 27....	794	Rhesa Hatcher,	Fifteen cords wood,.....	30 00
Febr'y 15..	849	William Cothran,	Three blank books for Legislative committee,.....	4 12
March 3...	889	Rhesa Hatcher,	Twenty-six and half cords wood,.....	53 00
March 6...	894	W. C. Harper,	Hire of boy Ephraim to 6th February, 1849,.....	18 00
March 13..	907	J. & T. Green,	Stationary for Public Offices,.....	31 55
April 23...	1003	John La Tourette,	Maps of State of Mississippi for Auditor's office,.....	12 00
April 27...	1021	L. Julienne,	Blank books for Auditor's office,.....	14 75
Aug. 21....	346	Isaac Chrisman,	Hire of boy Charles six months,.....	90 00
Aug. 27....	352	L. Julienne,	Tax-book for Auditor.....	10 00
Sept'r 11...	395	J. H. Boyd,	Envelopes for Public Offices,.....	3 00
			Amount carried forward,.....	$0,000 00

1849—DATE.	NO. WAR'T.	TO WHOM ISSUED.	FOR WHAT PURPOSE.	AMOUNT.
			Amount brought forward,.....	$0,000 00
Oct. 2.....	443	L. Julienne,	Book for Secretary of State,.....	32 00
Oct. 23....	487	Rhesa Hatcher,	Fifteen cords wood,.....	30 00
Nov. 21....	582	L. Julienne,	Stationary for Legislature,.....	694 75
Nov. 23....	588	J. T. Hull,	One axe and handle,.....	1 80
Nov. 30....	625	Moore & Carpenter,	Stationary for Public Offices,.....	9 13
Dec. 1.....	635	Rhesa Hatcher,	Nineteen cords of wood,.....	38 00
Dec. 11....	660	L. M. Young,	Sixteen cords of wood,.....	32 00
Dec. 21....	708	L. Julienne,	Stationary for Legislature,.....	97 25
Dec. 22....	712	E. L. Donglass,	Three and a half cords of wood,.....	7 00
Dec. 24....	719	L. M. Young,	Eleven cords of wood,.....	22 00
Dec. 26....	722	Rhesa Hatcher,	Thirty-four and a half cords of wood,.....	69 00
Dec. 31....	732	Fearn & Putnam,	Candles, etc., for State Offices,.....	7 00
Dec. 31....	633	Isaac Chrisman,	Hire of boy Charles, to date,.....	71 00
Dec. 31....	734	H. C. Daniel,	Twenty-eight cords of wood,.....	56 00
				$2,770 12

DOCUMENT I.

Number of Acres of Land and Town Lots struck off and conveyed to the State in 1848 and 1849, and remaining unredeemed on the first of January, 1850.

COUNTIES.	NO. OF ACRES.	TOWN LOTS.
Amite	21,195	.....
Attala	1,840	.....
Bolivar	10,353	.....
Carroll	8,042	28
Clarke	1,560	.....
Chickasaw	14,551	1
Choctaw	6,200	.....
Coahoma	1,570	5
Copiah	4,480	.....
Desoto	651	21
Hinds	12,264	84
Holmes	6,293	3
Issaquena	27,213	.....
Itawamba	62,960	.....
Kemper	8,360	.....
Lafayette	8,250	.....
Lauderdale	4,110	.....
Lawrence	1,693	2
Jasper	1,880	.....
Madison	4,156	.....
Marshall	1,994	97
Monroe	12,786	55
Noxubee	11,913	22
Neshoba	640	.....
Newton	1,077	.....
Octibbeha	7,600	.....
Pike	3,520	.....
Perry	255	.....
Rankin	4,313	.....
Scott	6,960	.....
Sunflower	6.044	.....
Tallahatchie	4,502	.....
Tippah	.....	13
Tunica	21,302	.....
Warren	9,775	19
Washington	76,392	.....
Winston	3,538	.....
Yazoo	7,654	4
Yalobusha	8,796	30
Total Acres	396,682	384 Total lots

[DOCUMENT L.]

[A Copy.]

TREASURY DEPARMENT,
Third Auditor's Office, August 3, 1848.

Hon. WM. L. MARCY,
Secretary of War:

SIR—I have the honor, herewith, respectfully to submit for your decision, under the act of the 2d June, 1848, the following claim of the State of Mississippi, for three hundred and eighty-three dollars, advanced to Captain J. H. R. Taylor, and expended by him in the transportation of his company of Mississippi Volunteers, by act of the legislature of said State, approved 4th March, 1848, referred to this office for settlement by the Second Auditor on the 26th ult., viz:

The STATE OF MISSISSIPPI,
1848—*March* 4. To Capt. JAMES H. R. TAYLOR, *Dr.*

For this amount, expended by him for the transportation of the "Marshall Guards" to the place of rendezvous, called Company I, of the First Regiment of Mississippi Rifles, as per act of the Legislature of said State approved March 4, 1848, entitled "An act for the relief of the officers and privates of Company 'I,' of the Marshall Guards, of the First Regiment of Mississippi Rifles:

Three hundred and eighty-three dollars, ($383 00)—"June 17th, 1848, received of the Auditor of Public Accounts his warrant, No. 199, on the State Treasurer, for three hundred and eighty-three dollars, which is in full of the provision made by the above recited act, approved March 4, 1848.

JAMES H. R. TAYLOR.
Late of the Marshall Guards,
By J. C. ANDERSON, Attorney in fact."

A power of attorney, executed by said Capt. J. H. R. Taylor, to J. C. Anderson, of Jackson, to receive and receipt for the above amount charged the State, acknowledged before G. Waite, clerk of the probate court of Marshall county, is annexed to the above, which, with the receipt, is certified to be a correct copy of the original, on file in the office of the Auditor of Public Accounts, by George T. Swann, said Auditor, under his official seal; and also the certificate of Richard Griffiith, State Treasurer, that the warrant, No. 199, had been paid at the treasury of the said State.

Accompanying the claim is a certified copy of an act of the Legislature of said State, approved March 4, 1848, entitled "An act for the relief of the officers and privates of Company 'I,' of the

Marshall Guards, of the First Regiment of Mississippi Rifles;" the first section of which provides that the sum of $383 be appropriated and paid to Capt Taylor, and his receipt for the same shall be filed, as a voucher to said Auditor, showing the amount expended by said Capt. Taylor for the transportation of the Marshall Guards to the place of rendezvous.

Section two of the act provides that the receipt for the money above mentioned shall have the effect of relinquishing to the State the claim of said company on the United States for arrearages of pay, and directs the Auditor of Public Accounts to receive the amount due the said company from the United States.

With the said act is a power of attorney from George T. Swann, Auditor as aforesaid, to the Hon Jefferson Davis, of the United States Senate, authorizing him to receive the amount so found due.

The above account is presented in the form of a copy of the original voucher, which is retained in the office of the Auditor of Public Accounts of said State. I think that the original claim and voucher should be furnished.

On the 19th of June last certain claims, of a similar nature with the above, was reported upon by me for your decision, under the act of the 2d June, 1848; upon which, on the 3d of July last, you decided as follows, viz:

"Bills of particulars, containing dates and rates of charge, ought to be furnished.

"It is not sufficient to show that a gross amount was expended, still less that sums were given to individuals to expend, without evidence that it was expended."

I am of the opinion that the above claim, under this decision, should be suspended from allowance until an account be furnished showing the application of the money; the different points between which the transportation was furnished; by whom furnished; the number of men charged for, and rate per man; the dates when furnished, with receipts for the money paid in each case; as well as evidence that the persons for whom the transportation was furnished were mustered and received into the service of the United States, and that the transportation was prior to the said muster.

This evidence is deemed necessary to guard against the presentation of claims by the individuals furnishing the transportation charged for above, and to enable you to judge if "the supplies and services were necessary and proper for the use of said troops," as required by the act aforesaid. The papers forming the claim are herewith transmitted.

I have the honor to be, very respectfully, your obedient servant,

(Signed) PETER HAGNER, *Auditor.*

"The absence of the originals presents but one difficulty, which might be disregarded; there is a greater one. The State of Mississippi pays Capt. Taylor for *having paid* the expenses of trans-

porting certain Mississippi volunteers to rendezvous. It is not shown *who* actually performed the service of transporting the volunteers, nor that they were ever paid by Capt. Taylor. If the persons who actually transported the volunteers should present their claims for that service, we should have no defence whatever against it. In fact, it *might* be paid without being identified as the claim said to have been paid by Capt. Taylor.

The United States are liable, in the first place, to those who actually performed the service, and liable to them for a reasonable compensation for the service. Before the State of Mississippi can be paid, she must show that she has paid those who held the claim against the United States, and that the claim was a reasonable one. As to these points there is no evidence. It is not shown that Capt. Taylor ever has paid a cent.

"AUGUST 21, '48. (Signed) W. L. MARCY."

OFFICE OF THE STATE TREASURER,
JACKSON, Misp., Jan'y. 15, 1850.

Hon. John J. McRae,
Speaker of the House of Representatives:

Sir—Herewith accompanying, I have the honor, through you, to submit to the honorable, the Legislature of the State of Mississippi, the biennial Report of the State Treasurer, from the 1st day of January, 1848, to the 31st of December, 1849, inclusive.

I remain, most respectfully, your ob't. serv't.

R'D. GRIFFITH,
State Treasurer.

REPORT.

STATE TREASURY OFFICE,
JACKSON, Jan'y, 12, 1850.

To the Honorable the Legislature
of the State of Mississippi:

In obedience to the requirements of law, I have the honor herewith to submit a detailed biennial report of the receipts and disbursements, at the State Treasury, from the 1st day of January, 1848, to the 31st day of December, 1849, inclusive—exhibiting a balance in the Treasury, on the 1st day of January, 1850, of four hundred and thirty-eight thousand six hundred and sixty seven dollars and twelve cents, including the following *trust funds*, with their amounts, viz:

Seminary Fund	$79,077 77½
Sinking Fund	75,022 22½
Three per cent. Fund	24,896 09
Two per cent. Fund	4,854 78
State Tax and other Funds	254,816 25
	$438,667 12

These "Two and Three per cent. Funds" consisted chiefly of U. States Treasury Notes, bearing interest for one year; some at 6 per cent. and the remainder at 5 2–5 per cent. per annum; this interest has not all been calculated—is not, except as the money is disbursed; was not all included in my receipt to my predecessor, and is not embraced in the above balances: hence these Funds are considerably more in reality, than the above statement makes them appear.

On the 1st day of January, 1848, the total balance in the State Treasury, was three hundred and twenty-seven thousand seven hundred and sixty-two dollars and eighteen cents, in Funds as follows:

Two and Three per cent. Funds	$213,020 77
State tax Funds, &c.	114,741 41
	$327,762 18

The disbursements at the Treasury, during the year 1848, amounted to the sum of three hundred and ninety-eight thousand

seven hundred and forty-eight dollars and eleven cents, and was for the following purposes, viz:

On account of	Two per cent. Fund,	$81,187	50
" "	Judiciary,	76,304	11½
" "	Legislative,	48,101	67
" "	Appropriations,	41,167	07½
" "	Funded debt,	34,436	55½
" "	Seminary Fund,	27,950	00
" "	Planters Bank bonds and coupons,	12,090	00
" "	Code of Mississippi,	12,000	00
" "	Commissions for assessing,	11,582	55
" "	Penitentiary,	10,979	85
" "	Public printing,	7,816	29
" "	Executive,	7,768	60
" "	Lunatic Assylum,	5,000	00
" "	Executive Contingent Fund,	4,441	87
" "	Executed slaves,	3,539	50
" "	Revolutionary soldiers,	2,197	23
" "	Institution for the blind,	1,875	00
" "	State Hospital at Natchez,	1,333	33
" "	Auditor's Contingent Fund,	1,300	69
" "	Elections,	1,168	40
" "	Sinking Fund,	1,100	00
" "	Militia,	988	36
" "	State Library,	916	37
" "	Distributing Laws and Journals,	639	48½
" "	Internal Improvement Fund,	553	52
" "	Public health,	520	00
" "	Vaccine Agency,	400	00
" "	Chickasaw School Fund,	331	00
" "	Governor's House,	310	00
" "	Interest on Funded Debt,	130	96
" "	State Capitol,	130	00
" "	Common Schools,	125	00
" "	Contingent Fund State Library,	110	98
" "	Locating State lands,	108	00
" "	State Deeds,	84	37
" "	Acknowledgment of Deeds,	31	00
" "	Locating Chickasaw school Lands,	25	00
" "	Literary Fund,	3	84
		$398,748	11

And the receipts at the Treasury during the same period, amounted to three hundred and ninety thousand nine hundred and ninety-three dollars and forty-eight cents, (including nine hundred and

thirty dollars of unavailable funds, as hereafter explained,) and were as follows, viz:

On acc't. of	State tax,.....	$358,431	47
" "	Sinking Fund,.....	13,601	11
" "	Redemption of Lands,..	7,840	87
" "	Chickasaw school Fund,	4,513	30½
" "	Internal Improvem't do.	3,135	15
" "	Two per cent. Fund,..	1,200	00
" "	Retail license,.....	704	01
" "	Town Lot Fund,.....	688	61
" "	Pedlars' licenses,.....	290	16
" "	Seminary Fund,.....	194	42½
" "	Legislative,.....	137	00
" "	Land sales,.....	130	27
" "	Literary Fund,.....	122	15
" "	Appropriations departm't	4	95
		$390,993	48
Deduct unavailable funds.....		930	00
			$390,063 48
Showing an excess of disbursements for the year 1848, of.....			$8,684 63

Which being taken from the amount in the Treasury at the commencement of the year, (say $327,762 18) and there remained a balance of $319,077 55 on the 1st day of January, 1849.

The receipts at the State Treasury during the year 1849, reached the sum of four hundred and thirty-seven thousand and eighteen dollars and forty-four cents, as follows:

On account of	State Tax.....	$361 066	47
" "	Sinking Fund.....	23,576	50
" "	Internal Improvement Fund.....	19,021	13
" "	Three per cent. Fund.....	13,049	86
" "	Land Sales.....	6,145	16
" "	Two per cent. Fund.....	5,238	33
" "	Redemption of Lands.....	4,918	38
" "	Penitentiary.....	3,092	85
" "	Seminary Fund.....	371	85
" "	Errors in late Treasurer's acc'ts...	180	74
" "	Appropriations.....	121	05
" "	Revolutionary Soldiers.....	112	22
" "	Brokers' License.....	100	00
" "	Legislative.....	18	00
" "	Judiciary Department.....	5	90
Total receipts.....			$437,018 44

And the total disbursements during the same time amounted to three hundred and seventeen thousand four hundred and twenty-eight dollars and eighty-seven cents, for purposes as follows, viz:

On account of the Two per cent. fund,			$121,555	48
"	"	" Judiciary,	82,507	94
"	"	" Planters' Bank Bonds and Coupons,	42,636	00
"	"	" University of Mississippi,	11,701	03
"	"	" Penitentiary,	10,126	42
"	"	" Commissions for Assessing,	9,701	05
"	"	" Executive,	9,413	32
"	"	" Lunatic Asylum,	5,000	00
"	"	" Funded Debt,	3,519	94½
"	"	" Executed Slaves,	3,312	50
"	"	" Elections,	3,164	00
"	"	" Executive Contingent fund,	2,135	41
"	"	" Revolutionary Soldiers,	2,004	03
"	"	" Public Printing,	1,875	25
"	"	" Institution for the blind,	1,375	00
"	"	" Auditor's Contingent fund,	1,358	18
"	"	" State hospital at Natchez,	1,333	33½
"	"	" Legislative,	888	00
"	"	" Appropriations,	757	65
"	"	" State Library,	621	00
"	"	" Militia,	612	33
"	"	" Locating State Lands,	528	00
"	"	" Vaccine Agency,	400	00
"	"	" Internal Improvement fund,	262	77
"	"	" Chickasaw School fund,	214	50
"	"	" Distributing Laws and Journals,	187	99
"	"	" Broker's License,	100	00
"	"	" Literary fund,	48	69
"	"	" Contingent fund State Library,	38	00
"	"	" State deeds,	34	38
"	"	" And Common School Department,	16	67
Total disbursements,			$317,428	87
Excess of receipts during the year 1849 is			119,589	57
Add balance in Treasury January 1st, 1849,			319,077	55
And we have the sum of			$438,667	12

as a balance in the Treasury January 1st, 1850, as first stated.

Monthly exhibits, in the form of tabular statements, of the receipts and disbursements at the State Treasury, during the past two years, may be seen on file in the office.

From the foregoing exhibit, it will be seen that while the fiscal receipts at the Treasury, during the year 1848, were very large, the disbursements for the same time were extraordinary. This arose

in part, from the passage of an act by the last Legislature, authorizing the State Treasurer to pay all our State warrants issued prior to the 1st day of January, 1841, whether the same be funded or unfunded; consequently old State liabilities in the form of warrants, came in very rapidly, and were paid on presentation; and thus the greater amount of the outstanding funded debt was liquidated. But the heaviest disbursement was on account of the large payments out of the "Two per cent. fund," made to the Commissioners of the Southern Rail Road, in accordance with the provisions of "an act to extend the Rail Road eastwardly beyond Jackson."

To some extent, the same remarks will apply to the receipts and disbursements during 1849, as may be seen on reference to the foregoing statement, notwithstanding, the receipts are much greater and the disbursements much less than they were the preceding year.

The Auditor reports the total debit against the Treasury department during the year 1848, to be.....$401,086 99
whereas the foregoing exhibit gives the receipts at.....390,993 48

and thus making a difference in the two reports of $10,093 51

In explanation of this apparent discrepancy between the two reports, it is necessary to remark, that receipt warrant No. 106, issued November 29th, 1848, in favor of the then Attorney General for $11,023 51, on account of the "town lot fund," payable in Mississippi Union Bank notes, by virtue of "an act for the relief of David Shelton," approved February 4, 1841, I declined receiving, not feeling authorized to take such money, as provided for in said act; hence that amount does not appear in my report of receipts at the Treasury. And receipt warrant No. 90, issued on the 28th day of January, 1843, in favor of Thomas H. Marble, late tax collector of Jefferson county, for $930 00, on account of the State tax of said county, for the year 1838, payable in notes of the Mississippi Rail Road Company, was received into the Treasury June 19th, 1848; and consequently does not appear among the present Auditor's issue of receipt warrants. By adding the former amount to, and deducting the latter from my report of receipts during that year, the two reports of receipts into the Treasury will precisely balance.

The above last named amount of $930 00, in notes of the Mississippi Rail Road Company, was unavailable funds, as before referred to in this report. This amount with $62,985 00 more, (Post notes bearing interest of the same bank received by me of the late Treasurer,) by and with the advice and consent of the late Attorney General, was placed in the hands of L. V. Dixon, Esq., Commissioner in Chancery in the case of the Attorney General in behalf of the State against the Mississippi Rail Road Company; upon which amount a dividend is expected soon to be awarded.

Reports from the Auditor made monthly to the Treasurer, and filed in this office, show the disbursements to have been $344,717 18 for 1848; that is, the total amount of pay warrants issued during

that year. Of that amount of issues $339,425 51 was paid at the Treasury during the year, leaving a balance of $5,291 67 unredeemed of that year's issue, on the first of January, 1849. But the total disbursements at the Treasury during that year, amounted to $398,748 11, being $59,322 60 more than the disbursements on account of the issue of pay warrants for 1848. The "Funded Debt," made payable without the Auditor's warrant, consumed $34,436 55½ of that amount; and $12,090 00 was in the bonds and coupons of the Planters' Bank, sold on account of the State of Mississippi, and made receivable by the State Commissioner for debts due the "Sinking fund;" the residue amounting to $12,796 04½ was disbursed in taking up pay warrants of the issues of previous years.

The monthly reports from the Auditor during 1849, show the total amount of pay warrants issued that year, to be $270,823 38; whereas the total amount redeemed at the Treasury, of these warrants was $265,642 64, leaving $5,180 74 of them still outstanding on the 1st of January, 1850. But it will be seen that the total disbursements of 1849 amounted to $317,428 37, being $51,786 23 more than was paid on account of pay waraants issued during that year. The Planters' Bank bonds and coupons consumed $42,636 00 of that amount; disbursed for pay warrants of previous years $5,630 29; and the remainder, amounting to $3,519 94, was expended towards liquidating the unredeemed "Funded Debt."

During the present year, it is supposed the expenditures and disbursements for the ordinary expenses of State Government and other purposes, cannot prove as heavy as they were during either of the two preceding years, inasmuch as there is less of "Funded Debt" outstanding, and fewer of the Auditor's pay warrants unredeemed.

From an examination of the "Disbursement Books," and the "Statement Book of Funded Debt," in the Treasury office—the only reliable sources from which evidence can be obtained of old warrants still unpaid—the total amount of the "Funded Debt" unredeemed is estimated at $10,163 29, including interest, calculated to the 28th of February, 1848, when it ceased to accrue; and the outstanding pay warrants, of former years issues, amount to $21,256 35, as exhibited by said books, on the 1st day of January, 1850.

Most probably the precise amount of the State's liabilities on State warrants unredeemed, of both funded and unfunded, cannot be accurately ascertained. Many are of long standing—running more than ten years back; some may have been taken up and not entered upon the books referred to; and it is fair to presume that a considerable amount has been lost or destroyed, and will never be presented at the Treasury for payment.

Specific information, relative to any particular fund will be cheerfully and promptly furnished whenever called for, so far as the data in this office will enable.

All of which is most respectfully submitted by your obedient serv't,

RICHARD GRIFFITH, State Treasurer.

REPORT

OF THE STATE COMMISSIONER.

JACKSON, Jan. 1st, 1850.

To His Excellency J. W. Matthews,
Governor of the State of Mississippi:

In obedience to the requisitions of the act appointing a State Commissioner, and the several acts amendatory thereto, I have the honor to submit the following report:

SINKING FUND.

Since the 7th of March, 1848, the day I entered upon the duties of this office, there has been paid into the State Treasury on account of the Sinking Fund, thirty-two thousand nine hundred and sixty-four dollars in bonds and coupons of the Planters' Bank. There is, also, a further sum of three hundred dollars, in coupons, in my hands, which were received by me as per agreement of my predecessor, from Mr. Dougherty of Hinds county. A question as to amount of interest due from Dougherty to the Sinking Fund had arisen, and the matter had been referred to A. Hutchinson, Esq., for arbitrament. These coupons had been cut from a bond paid into the treasury, and were placed in the hands of a third person, subject to the arbitration. Since then, the case has been decided in favor of the Fund, and the coupons paid over to me. The Treasurer cannot receive them, being prohibited by the act of 4th of March, 1848, from receiving any coupon unless it is actually cut by himself from the bond. I would respectfully suggest that the Legislature so amend this act as to provide for this and similar cases. There are other coupons which have been tendered me, which have been cut from the bond, when the same was paid into the treasury, which ought to be received.

Suits have been commenced both in the Chancery and Circuit courts for all debts which were believed could be collected, and from which I am advised a much larger amount will be realized than in any former year.

Soon after my appointment, I visited the counties of Carroll, Yalobusha, Tallahatchie, Coahoma, Bolivar and Copiah, to ascertain the condition and quality of the lands purchased for the Sinking Fund by my predecessor, large amounts of which I found had

been transferred to *bona fide* purchasers, more than four years before the date of the judgment under which the State acquired them. I have procured, at great trouble and expense to myself, transcripts of all adverse titles, and from Washington city a transcript showing the name of the original patentee for each tract. The result of these investigations convinced me that the State's title thus acquired was, at least, to a large portion of said land, worthless. Viewing the matter in this light, I have, with the approbation of the Governor and Attorney General, agreed upon the terms of a compromise with R. J. Walker, Esq., (from whom most of the lands were obtained,) by which he is to pay to the Sinking Fund the amount originally borrowed, both for himself and as security of E. G. Howell, amounting in the whole to fifteen thousand five hundred dollars. This arrangement, it is believed, will meet the approbation of the Legislature. Other compromises have been effected with parties notoriously insolvent, by which about three thousand five hundred acres of land of fair quality and undisputed title has been acquired, worth about ten thousand dollars.

The whole amount due the Sinking Fund, principal and interest, up to the 1st of January, 1850, is seven hundred and five thousand eight hundred and forty-five dollars and twenty-six cents. A very large proportion is desperate, and can only be arranged by liberal compromises.

SEMINARY FUND.

The available balance of the Seminary Fund consists in good judgments to the amount of about eleven thousand five hundred dollars, in progress of collection. About two thousand acres of land, say worth about eighteen thousand dollars, and rents now due, and which will be paid in a few days, of seven hundred and sixty dollars, and rents to fall due, nine hundred and sixty dollars, making thirty-one thousand two hundred and twenty dollars; (this is exclusive of over six thousand dollars enjoined in my hands by Geo. Work,) all of which is good, and will be collected as soon as the tardy course of the law will permit. Amount paid into the treasury on this Fund, three hundred and seventy-one dollars and eighty-five cents.

TOWN LOT FUND.

It is impossible to state with any degree of accuracy, what amount is yet due and outstanding on account of the Town Lot Fund, as bills in Chancery are pending to enforce the lien of the State for balances due on certain lots; the amount that will be realised is therefore uncertain. I have two judgments, amounting in the aggregate to about nine thousand dollars, which were to have been paid in time to include in this report, but have not; they will be paid during this winter, as the parties are perfectly

solvent. I would estimate the probable amount yet due and available to this fund, to be about sixteen or seventeen thousand dollars.

By reference to the accompanying statement of accounts marked "A," it will be seen that the whole amount collected by me from all sources, is thirty-six thousand five hundred and thirty-four dollars and thirty-six cents; whole amount paid into the treasury, is thirty-three thousand three hundred and thirty-five dollars and eighty-five cents; and amount paid out for costs, attorneys' fees, taxes and salary, four thousand three hundred forty-six dollars and seventy-two cents; making total and of credits, thirty-seven thousand six hundred and eighty-three dollars and eleven cents.

All of which is respectfully submitted,

SAML. MATTHEWS,
State Commissioner.

NOTE—Since the date of the foregoing report, I have received and paid into the treasury, on account of the Sinking Fund, three thousand one hundred and thirty dollars, and received about one thousand seven hundred dollars in drafts, &c., on New Orleans, the proceeds of which have not been realised. S. M.

[A] *Samuel Matthews, State Commissioner, in*

1848.	*DR.*	
June 9	For this am't collected of Thomas Rowan in Planters' Bank bonds.....	$ 4,330 00
" "	For this amount collected of E. Joor in cash.....	2,429 01
" "	For this amount collected of E. Joor, Robt Bradley and Angus McDuffee in bonds.....	5,560 00
May 24	For this am't collected of J. Clark for land in Yalobusha county in cash..	200 00
1849.		
January 2	For this amount bonds collected of John Deer, administrator of Burris Haley deceased.....	808 00
" 4	For this am't in bonds collected of Parker for land in Coahoma county....	266 00
Feb'y 2	For this am't collected of F. Davis in bonds.....	5,085 00
May 7	For this am't collected of Henry Dickinson in bonds.....	3,073 50
June 19	For this am't collected of E. Gibson's administrator, in bonds.....	10,444 00
July 13	For this am't collected of R. Irvine in bonds.....	1,000 00
" 15	For this am't cash received of Samuel Brown.....	100 00
" "	For this amount cash received of A. Gattis.....	100 00
" "	For this amount cash received of B. Nations.....	75 00
" 25	For this am't cash received of Scoggins on account of seminary fund.....	377 00
Septem. 1	For this am't received of R. M. Johnston on account of seminary fund.....	231 00
October 1	For this amount collected in bonds of R. Irvine.....	210 00
Dec'r 26	For this amount received of E. R. Brown in bonds.....	1,000 00
" 27	For this am't received of J. Deer, adm'r in bonds.....	808 00
" "	For this amount received of S. C. Scoggins on account of the seminary fund	371 85
July 15	For taxes refunded on sinking fund lands by the collector of Yalobusha county	31 50

account with the State of Mississippi.

1848.		*CR.*		
June 10	By am't paid into treasury as per receipt			$ 10,077 50
1849.				
Jan'y 2	By am't paid into treasury as per receipt			808 00
" 4	By am't paid into treasury as per receipt			266 00
Feb'ry 2	By am't paid into treasury as per receipt			5,085 00
May 7	By am't paid into treasury as per receipt			3,073 50
June 19	By am't paid into treasury as per receipt			10,444 00
July 13	By am't paid into treasury as per receipt			1,000 00
October 1	By am't paid into treasury as per receipt			210 00
Dec'r 26	By am't paid into treasury as per receipt			1,000 00
" 27	By am't paid into treasury as per receipt			192 00
" "	By am't paid into treasury as per receipt			808 00
" "	By am't paid into treasury as per receipt			371 85
1848.				
May 26	By cash paid H. J. Shackleford	voucher	1	14 56
June 9	Do L. Saunders	"	2	3 00
" "	Do Saunders & Price, atty's.	"	3	221 89
" 21	Do H. B. Evans	"	4	15 00
" 22	Do J. M. Duffield	"	5	10 12
July 7	Do Stephen Cocke, attorney	"	6	110 00
Nov'r 30	Do Hemingway, clerk	"	7	2 00
Dec'r 8	Do Hampton,	"	8	1 50
" 14	Do French,	"	9	18 50
1849.				
March 2	Do Ferguson,	"	10	9 25
" "	Do McManus,	"	11	3 00
" "	Do Hampton,	"	12	3 75
" 8	Do Harrold, com'r. chanc'ry.	"	13	5 00
" 12	Do Harrington. clerk,	"	14	3 05
April 16	Do Sims,	"	15	1 00
" 27	Do C. L. George,	"	16	3 50
May 6	Do Ro. Hughes,	"	17	24 75
" 12	Do Downing, sheriff,	"	18	17 80
" 28	Do Burns, clerk,	"	19	3 20
" "	Do Haralson, com.	"	20	50
" "	Do M. Cook, clerk,	"	21	114 24
" "	Do Sims,	"	22	8 00
July 2	Do Sims,	"	23	10 00
August 17	Do Col. Glenn, attorney,	"	24	18 85
Nov'r 13	Do G. W. L. Smith,	"	25	200 00
" 26	Do Brown,	"	26	5 00
Dec'r 1	Do Downing, sheriff,	"	26½	102 18
" "	Do Duffield, clerk,	"	27	25 75
" "	Do Col. Glen, attorney,	"	28	50 00

[A] *Samuel Matthews, State Commissioner, in*

1848.	*DR.*	
Novemb'r	For this amount received of B. A. Risher on account of the town lot fund.....	35 00
		36,534 36
	Balance.....	1,148 25
		$37,682 61

account with the State of Mississippi.

1849.	*CR.*	
Dec'r 25	By cash p'd A. Hutchinson, att'y, vouc'r 29	26 00
1848.		
April	Do for taxes of 1848.....	455 11
1849.		
April	Do for taxes of 1849.....	235 26
	By salary for year ending 7th March, 1849	1,500 00
	By 3 quarters salary ending Dec. 7, 1849	1,125 00
		$37,682 61

PENITENTIARY REPORT.

MISSISSIPPI PENITENTIARY,
Clerk's Office, *Dec.* 13, 1849.

To his Excellency, Joseph W. Matthews,
Governor of the State of Mississippi:

SIR: The statutory law makes it the duty of the Superintendent and Physician to make their annual reports to the Board of Inspectors, on the second Monday in December, and further requires, that the Inspectors make a full statement of the transactions of the institution for the year, to the Governor, on the same day; thus it will be seen that the law requires an impossibility. The labors of my office have continued to increase from year to year, and the annual reports and accounts at this time, being of much greater length than usual, it has been out of my power to present them to your Excellency at an earlier day.

The statements required by law to be sworn to, have been prepared and filed in the Auditor's office.

I have the honor to be, with high regard,
Your obedient servant,
D. N. BARROWS, Clerk.

INSPECTORS' OFFICE, MISS. PENITENTIARY,
Jackson, *Dec.* 10, 1849.

To his Excellency, Joseph W. Matthews,
Governor of the State of Mississippi:

SIR: With the close of our fiscal year, it again becomes our duty to report to you the present state of the prison. We the more cheerfully comply with this requisition, inasmuch as we are justified in stating, that the institution is in a good and rapidly improving condition. Accompanying this, you will receive the reports of the

Superintendent and Physician, together with such documents and tabular statements prepared by the Clerk, as are necessary to furnish you, specifically, the operations of the past year, and to which your attention is most respectfully invited. These being so full, it will only be necessary for us barely to touch upon most of the points presented.

In relation to the manufacture of coarse cotton and woollen goods, to profit, by the convicts, we would say, it no longer remains *an experiment.* While in the minds of many, the introduction of this kind of labor into the prison with success, was regarded as problematical; and while the operations of one year left little doubt on the minds of your board, of ultimate success, the past year has most satisfactorily and clearly proven to all, that the experiment has eminently succeeded, even beyond our most sanguine anticipations; and we do not now hesitate to recommend and urge the necessary provision to direct the labor of all the convicts in the prison to this department, except a few, such as are necessary to be retained in the shops.

Although serious obstacles have interposed during the past year in the manufactory, in the limited amount of machinery, and the great need of increased power to drive even what we now have, yet, the profits of this department show to decided advantage, when contrasted with the earnings o the other branches of labor.

The ready sales, for cash, of osnaburgs, cotton yarns, &c., and the steadily increasing demand, far beyond the ability to supply, prove clearly, that it would bes politic and wise in the Legislature, to appropriate an amount sufficient, at least, to double the present stock of machinery, and for the purchase of suitable power to drive it.

There remains no doubt in the minds of your board, if this course were adopted, but that the Penitentiary would, in a reasonable time, pay back into the treasury, the full amount of the appropriation, and thenceforward become tributary to the State, instead of an expense as heretofore.

In our last report, we alluded to the bill which passed both branches of the Legislature, unanimously, appropriating one thousand dollars for the purchase of machinery, and providing for the erection of a house for the Superintendent, but which, by some means, was overlooked, and failed to receive the signatures of the proper officers. We would beg respectfully to call your attention to our remarks in that report, adding simply, that both were imperiously demanded; and as the bill contemplated both, it was deemed advisable to carry out the whole provisions of the law.

That portion of the main building occupied by the Superintendent as a residence, but originally intended for a hospital for the sick convicts, was required for that purpose, during the prevalence of a disease of an epidemic character, which broke out among the convicts in the month of July of last year.

It was the opinion of the Physician, that unless provision was made for them in large and airy rooms, the disease would not only terminate fatally with a large number of the sick, but that the contagion would spread throughout the whole prison.

Since our last report, the board have been informed, that in the original plan of the building, it was not designed by the architect, and those directing the construction, that this portion of it should be occupied as a residence, and for some time past we have had serious doubts as to the propriety of appropriating it to this use.

This formed another urgent reason for the erection of a dwelling for the Superintendent, as suitable accommodations within the walls, could only be had by the Superintendent vacating the rooms so occupied by him.

Again; in order to render the previous investments in machinery profitable, it became absolutely necessary to add at least the amount appropriated in the bill alluded to. It will be seen, however, by reference to the Superintendent's report, that we have greatly exceeded the amount, in this particular, (because of expediency and necessity) besides erecting a suitable residence for the Superintendent, *out of the means of the Penitentiary*, and without additional drafts upon the treasury; and we feel assured that the results which the purchase of machinery show, and the addition of valuable and necessary property to the State, will meet the hearty approval of your Excellency and the Legislature.

Regarding the suggestion of the Superintendent in relation to the appointment of a salesman, as a very important one, without further argument, we respectfully commend it to your attention. We will express the same sentiment in regard to the construction of at least ten large cells for the purposes designed, and if thought necessary, could add many strong and cogent arguments in favor of such an arrangement. Your Excellency is doubtless aware of the experience of other and older prisons on this subject, which experience corresponds with ours, and we therefore leave the matter, thus barely alluding to it.

In relation to the re-establishment of the office of Chaplain, or "Moral Instructor," as recommended by the Superintendent, we cannot refrain from saying a few words.

The legitimate object of punishment, is the prevention of *crime;* and surely no means will so well accomplish this end, as the moral reformation of the delinquent. Among the inmates of our prison, is found almost every variety of character and degree of criminality, from the *comparatively* innocent youth, detected, perhaps, in his first transgression of the law, to the depraved wretch who has grown gray in the ways of wickedness. Among these, there are doubtless some for whom even the most benevolent can have but little hope; yet, on the other hand, there are many, who have not advanced so far in the ways of transgression, as to be beyond the reach of moral influence. We think the religious and moral in-

struction of our State prisoners, is a matter which has, perhaps, been too much overlooked by the State. Though these unfortunate beings have forfeited their rights as members of society, still, they have claims upon their fellow beings, the force of which must be felt by every wise statesman, and every intelligent philanthropist, who will reflect a moment on the subject.

Not alone does *humanity* require that the stern punishment which justice inflicts upon transgressors, should be mingled with the mild teachings of moral instruction; the *interests of society* also require it; for, very soon many of these delinquents, having suffered their appointed punishment, will be turned loose upon the world, perhaps again to prey upon society; for if chastisement prove not salutary, it will most assuredly have the contrary effect. We would therefore concur with the Superintendent in recommending the re-establishment of the Chaplain's office, and the appointment of a suitable person to fill it, whose duty shall be to labor at all times, by every means in his power, for the moral improvement of the prisoners. And in connection with this, we would not lose sight of the procurement of a suitable library for the use of the convicts. We think the means proposed would indeed be productive of happy results.

The well attested experience of other and older prisons in our country, is that the labors of this office, independent of its influence upon future character, tends greatly to promote subordination and obedience to the rules of the prison; and we do esteem it especially the duty of the State to provide for the moral well being of those who are so directly under her charge: and we doubt not that every intelligent statesman will admit the truth and force of our remarks.

We therefore sincerely trust that every means which a well directed spirit of humanity can devise, may be used to induce our unfortunate fellow beings, who have been guilty of a violation of the law, to return to the paths of rectitude and honor.

Before closing this subject, your board would unite with the Superintendent in expressions of gratitude to the clergy of Jackson, who have so kindly ministered to the moral and spiritual wants o the prisoners.

By reference to the Physician's report, it will be seen that general good health has prevailed among the prisoners during the past year. This is attributable to the faithfulness and skill with which he has discharged his duty, by promptly arresting disease in its incipiency, and the scrupulous cleanliness observed by the Superintendent in the cells and prison grounds. The removal of decayed timbers from the cells on the ground floor, and the substitution of brick floors; the periodic whitewashing kept up during the past year, together with comfortable clothing and great care in the provision of wholesome and substantial food, have all, no doubt, contributed much to the health of the prison.

In conclusion, we cannot but express our most hearty and entire approbation of the course pursued by the Superintendent during his administration, and our unwavering confidence in his qualifications and ability to fill the onerous duties of his office.

The laborious duties of the Clerk's office have been conducted with skill and ability by Mr. D. N. Barrows. The neatness and accuracy of the books and accounts under his charge command our highest admiration.

All of which is respectfully submitted,

JOHN C. CARPENTER,
CHARLES SCOTT,
G. C. SMITH,
} *Inspectors.*

SUPERINTENDENT'S OFFICE, MISS. PENITENTIARY,
December 1st, 1849.

To the Board of Inspectors of the
Mississippi Penitentiary:

GENTLEMEN: The time has again arrived, when it becomes my duty to present to you my annual report as Superintendent of the State Penitentiary, showing in detail the condition of this department of the State Government.

We have great reason to express our unfeigned gratitude to our kind Benefactor for the unexampled health we have enjoyed during the past year. Whilst other communities and other prisons have been severely scourged with disease and death, we have enjoyed almost uninterrupted health since our last report.

We have but one death to record during the past year, and that was an old man, nearly seventy years of age, whose constitution was broken down before he came here as a prisoner.

During the past year the prisoners have conducted themselves well, generally speaking. They have been obedient and respectful to their officers and the rules of the institution. We have had but few cases calling for severe punishment, a simple reprimand generally being sufficient to correct any neglect of duty, or violation of the rules of the prison.

Whilst this is the general character of the prisoners, yet we have a small number, that require a different mode of treatment; and in this connection, and for the special benefit of such, I would recommend the erection of ten large cells of sufficient size to admit of one man to labor in each cell. Any one can readily imagine that among such a large number of criminals, there will be some who are turbulent, hard to control and disposed to excite acts of rebellion and insubordination; such characters should never be allowed to have intercourse with the other prisoners, or the privilige of the yard. Solitary confinement and appropriate punishment, when necessary to enforce labor, would be the proper dispo-

sition to make of such cases. As our code of discipline for the government of the prison now stands, it is altogether inadequate to maintain good order from such prisoners, and a ready obedience by them to the rules and regulations of the prison.

I would recommend the re-establishment of the Chaplain's office. Reformation is one of the prominent objects of Penitentiary punishment. The forlorn condition of the prisoner seems to invite advice and wholesome counsel. Shut out from family and friends, and all the allurements and temptations of the world, and closely confined in prison, it seems to me that the labors of a wise, faithful and godly man, would be the most probable way by which that reformation could be effected; many of them are emphatically "sick and in prison, and truly need the consolations which the administrations of a devotedly pious gospel minister affords; he should be a man who could and would devote much of his time during the week, and the whole of the Sabbath to their religious instruction.

There should be a well selected library provided for the use of the prison; we have been entirely dependent upon a few benevolent individuals and religious societies for all the reading matter and religious instruction that has been furnished during my term of office; and we are under many lasting obligations to the clergy of the city of Jackson for the very kind attention they have given the prison. This, however, does not remove the obligation which rests upon the State to make provision for the moral instruction of the prisoners. The Penitentiary is a State institution, and upon the State the responsibility rests, and by the State, provision should be made for their religious instruction. Whilst it is a place of punishment, it is nevertheless the duty of a christian people to alleviate the sufferings and elevate the mental condition of their unfortunate fellow beings.

The experiment of manufacturing coarse cotton and woollen goods by convict labor, has been fairly tested during the past year, and I am fully satisfied that it is the most profitable employment that they can be engaged in, as may be seen by reference to the tables showing the results of the different branches of business carried on in the Penitentiary

Though we have had to contend with many difficulties in the manufacturing department, yet it shows a much larger profit than any other business, according to the number of hands employed. The total cash receipts this year have increased $6,120 68 over the cash receipts of last year; the most of this increase may be attributed to the cotton and wool manufacturing business. One of the great advantages of this business is, the ready sale we find, and the increasing demand for our linseys, osnaburgs and cotton yarns. I would, therefore, respectfully suggest that a sufficient amount of machinery be purchased to give employment to all the convicts, together with an engine of sufficient power. The engine we now have is too small for our purposes. Our

operations this year have been cramped and affected at least twenty per cent. for the want of an engine of sufficient power.

We have a large amount of manufactured articles on hand, which have been accumulating for years before I took charge of the institution, and which are depreciating in value every year. I would urge the propriety of selling all such articles at public auction, and appropriating the proceeds to the purchase of machinery, which can be actively employed and rendered profitable; but as it now stands, those articles are becoming less valuable every year.

I would respectfully suggest, that an office of Salesman be created, and an officer appointed, whose duty it shall be to take an account of all raw materials brought into the institution; take an account of all articles manufactured for sale, enter them in an invoice book, when made and received by him for sale, and when any of such articles shall be sold, he shall issue his receipt warrant to the Superintendent to recieve the amount of such sale. The Superintendent shall acknowledge the receipt of said amount to the salesman, and at the monthly settlements of the Superintendent with the Inspectors, the invoice book and the receipt warrants in the hands of the Superintendent shall be the data of such settlements.

I would also respectfully suggest, that two commissioners be appointed, whose duty it shall be, associated with the Superintendent, to value all the work done by the convicts for the State; estimate all the repairs and improvements made for the State; take an inventory of all the manufactured articles on hand, and all the stock in raw material, and make a true return upon oath that they have well and truly performed the duty of their office.

My reasons for this are: First, that the proper authorities and the public may know precisely the condition of the institution; and secondly, to prevent any misrepresentation from going abroad unjustly to the prejudice of its officers. Under the present arrangement, for want of some such definite and authoritative decision, independent of the Superintendent, many unfounded reports have gained currency.

For example, it has been brought to my notice that such reports as the following were abroad, viz: "That the Superintendent and other officers have it in their power to so arrange their reports as to show that the Penitentiary was a source of profit to the State, when in fact it was a burden, and losing large amounts. Again: that the Penitentiary has been in the habit of charging double rates for all work done for the State, and adding in the same proportion to the value of all manufactured articles and raw material on hand as rendered in the inventory. The force of these recommendations seem obvious, and founded in justice to the officers of the institution, as well as good policy towards the State. It is of the highest importance to the State, that her interests should be protected from

imposition by laws adequate for that purpose; and it is but just, that her faithful public servants should be placed in a position upon her public records to shield them from the rash and malicious imputations of the suspicious and malevolent; whilst it is equally important that the State should have adequate means of easily and promptly holding an unfaithful or delinquent public officer to a rigid accountability.

Public confidence is one main element of success in all branches of government, and to ensure this, the organic relations of each branch must not only be right in itself and correctly administered, but its connection with other branches of the system must be such as to express its true character and administration, and to hold it in due obedience and control.

Such a system of checks and balances lies at the foundation of our system, and of all correctly administered systems of government, and I feel that I cannot too earnestly press the adoption of the measures above set forth, or some similar in character to them.

Much of the dissatisfaction and misunderstanding in regard to the Penitentiary grows out of the want of a proper system of accounts between her and the treasury of the State. A single transaction will suffice to illustrate: Last year we drew ten thousand seven hundred and ninety-nine 50-100 dollars from the treasury; this stands as a charge on the treasurer's books against us, while we have no credit for $2729 99-100 paid for new machinery; four thousand dollars worth of brick made for the Lunatic Asylum, and four thousand dollars worth of material and work in a house built for the Superintendent, and sundry charges for repairs and improvements on the State prison, the property of the State; thus exhibiting the Penitentiary a charge upon the books of the treasurer to a large amount, without the credit of a cent!—though upon correct principles of accounting, the State would be indebted to the Penitentiary to a very considerable amount; for it is very plain, that if the State had large and expensive public improvements done by *others*, she would pay the money from her treasury; and it is equally plain, if the convicts were not at work for the *State*, they would be at work for individuals, for which the cash would be recieved.

We made nine hundred thousand brick for the Lunatic Asylum during the last summer; our operations in brick making were very much interrupted by the unusual quantity of rain that fell in the months of May, June and July.

It will appear by reference to the tables of this report, that a large number of prisoners have been pardoned by the Governor during the past year; a very large majority of these pardons have been granted only one or two days before the expiration of their sentence; this has been done on account of the good conduct of the prisoner for the purpose of re-instating him to the privileges of citizenship, the officers of the institution entertaining strong hopes in all such cases, of reformation.

Mr. Barrows, our faithful and efficient Clerk, and Dr. Langley, our Physician, have been so long connected with the institution, and have been so frequently and favorably alluded to in the reports of other Superintendents, that I presume I can say nothing on the present occasion which will add to the high opinion already so generally entertained of them.

In my last report, I called your attention to the unsafe condition of the main Penitentiary building. I would urge the necessity of immediately attending to that part of the building which is so badly broken.

The absolute necessity of a good fire engine belonging to the prison is so evident, that it will certainly command your attention in your recommendations to the Governor.

In reviewing the history of this institution for the last two years, during the most of which time the present Board of Inspectors have been the advisory body, I am exceedingly gratified that it is in my power to say to you gentlemen, that the institution is in a highly prosperous condition, and much of that prosperity may be attributed to the faithful manner in which you have discharged your duties as Inspectors. It is known to you that we have had many difficulties to contend with during the past year, and whilst they have required the exercise of sound discretion, they have all been disposed of without serious detriment to the institution.

JOSEPH MOSELEY, Superintendent.

PHYSICIAN'S REPORT.

JACKSON, Dec. 10, 1849.

To the Board of Inspectors of the Mississippi Penitentiary:

Gentlemen—The health of the prisoners has been generally good throughout the year. No epidemic has prevailed among them, and the number of acute cases has been comparatively few and easily managed. There are at this time, a few chronic cases under treatment; with this exception, the prison is entirely free from disease.

It is but justice to the Superintendent to say, I attribute this immunity from disease, in a great degree, to the attention which he has given to the personal cleanliness of the prisoners; to the wholesome and well prepared food with which they have been supplied, and to the zeal and faithfulness with which he has carried out such sanatory regulations as I felt it my duty, from time to time, to suggest.

Only one death has occurred in the prison during the year. The

subject was an old man, who had long been laboring under chronic diarrhœa, and who having indulged in some impropriety in diet, was seized a short time after with cholera morbus, of which he died in a few hours.

It is a matter worthy of note, that whilst there has been, in the last twelve months, an unusual fatality amongst the citizens of Jackson, but one death has occurred in the prison during a period of more than seventeen months. It is doubtful, I think, whether any prison in the Union, inhabited by a like number of persons, can present as clean a bill of mortality, extending over the same period of time.

Very respectfully,

WM. S. LANGLEY.

STATEMENT showing the number of Convicts in the

Nos.	Names.	Age.	Crimes.
1	Francis M Hardwick	26	Manslaughter
2	John Botto	38	Receiving stolen property
3	John Greeson	33	Robbery
4	Dennis Vermillion	44	Grand larceny
5	Isaac N Botts	30	Grand larceny
6	E E Wilborn	23	Larceny
7	*Daniel Harvill	38	Grand Larceny
8	Wm D Brown	25	Larceny
9	Stephen F Peake	26	Manslaughter
10	Newton A Gaylor	28	Larceny
11	John Ferguson	36	Negro stealing
12	Joshua Hall	22	Larceny
13	Pleasant Nichols	29	Larceny and forgery
14	W B Cummins	21	Horse stealing
15	John Aber	32	Burglary
16	Wm F Johnston	48	Horse stealing
17	Wm Lechard	34	Manslaughter
18	James A Rowan	27	Forgery
19	Stephen Dwyer	32	Grand Larceny
20	James M Howard	48	Negro stealing
21	George Tyler	18	Negro stealing
22	*James M Thomason	25	Forgery
23	Thaddeus W Guilder	27	Negro stealing
24	Geo Sweeney	21	Grand larceny
25	James Cartwright	49	Assault to kill
26	F G Talcot	38	Negro stealing
27	Wm E Bebee	34	Manslaughter
28	Wm Robinson	25	Perjury
29	James Wilson	20	Negro stealing
30	John Briscoe	27	Manslaughter
31	Louis E Gayaree	34	Negro stealing
32	Jonathan Benge	29	Larceny
33	John B Curry	28	Robbing the mail
34	G W Lipscombe	27	Manslaughter
35	Hosea McDermit	19	Larceny
36	Robert Parker	28	Manslaughter
37	Isaac Tumey	35	Rape
38	James Moore	27	Robbing
39	Benjamin Hailman	30	Negro stealing
41	James Runnels	30	Negro stealing
42	James Hayden	30	Grand larceny
43	Jesse Ford	18	Negro stealing

Mississippi State Penitentiary, Nov. 30th 1849.

Counties where condemned.	Date of Admission.	Expiration of Sentence.	Place of Birth.
Tishemingo	Oct. 25, 1848	Sept. 26, 1855	Alabama.
Warren	May 21, 1849	May 5, 1851	Italy.
Itawamba	April 15, 1840	April 15, 1850	Georgia.
Adams	Nov. 19, 1846	Nov. 14, 1859	District Columbia.
Marshall	Aug. 24, 1849	July 24, 1852	Tennessee.
Monroe	May 8, 1846	May 1, 1851	Tennessee.
Adams	May 18, 1848	May 10, 1853	North Carolina.
Warren	April 27, 1848	April 26, 1854	Virginia.
Marion	April 30, 1844	April 11, 1850	Mississippi.
Copiah	Nov. 29, 1846	Nov. 28, 1856	Tennessee.
Holmes	Nov. 8, 1844	Nov. 8, 1854	Vermont.
Adams	June 2, 1846	June 1, 1851	Illinois.
Desoto	Nov. 26, 1846	Nov. 13, 1852	Tennessee.
Pontotoc	April 30, 1849	April 20, 1853	South Carolina.
Adams	June 17, 1845	June 17, 1851	Pennsylvania.
Tippah	May 1, 1849	Mar. 10, 1852	Pennsylvania.
Clark	Oct. 20, 1847	Oct. 16, 1862	Virginia.
Warren	May 7, 1849	May 4, 1853	South Carolina.
Warren	May 7, 1849	May 4, 1853	Ireland.
Panola	Dec. 3, 1848	Nov. 24, 1858	North Carolina.
Hinds	Oct. 10, 1840	Oct. 9, 1850	Ohio.
Lowndes	Oct. 23, 1845	Oct. 23, 1850	Virginia.
Clark	Oct. 20, 1847	Oct. 16, 1857	South Carolina.
Copiah	Nov. 29, 1846	Nov. 28, 1856	Alabama.
Chickasaw	Oct. 10, 1847	Oct. 1, 1857	Tennessee.
Adams	June 9, 1843	June 7, 1855	Massachusetts.
Jackson	May 23, 1848	May 16, 1854	Tennessee.
Warren	April 27, 1848	April 26, 1858	Pennsylvania.
Panola	Dec. 3, 1848	Nov. 24, 1858	Virginia.
Harrison	Sept. 28, 1849	Sept. 21, 1853	Mississippi.
Noxubee	May 7, 1845	April 25, 1855	Louisiana.
Lafayette	Nov. 17, 1848	Nov. 2, 1851	Kentucky.
U. S. C. N. D.	Dec. 16, 1848	Dec. 6, 1858	Tennessee.
Lafayette	Dec. 6, 1843	Nov. 28, 1858	Virginia.
Monroe	May 15, 1845	May 6, 1850	Georgia.
Tishemingo	Sept. 30, 1846	Sep. 10, 1861	South Carolina.
Claiborne	Oct. 18, 1849	Oct. 18, 1861	Kentucky.
Adams	June 2, 1846	June 1, 1861	Virginia.
Yalabusha	Sept. 13, 1847	Sept. 3, 1857	Pennsylvania.
Bolivar	Mar. 20, 1846	Mar. 17, 1856	New York.
Adams	May 18, 1848	May 8, 1851	Kentucky.
Madison	May 28, 1842	May 22, 1852	Mississippi.

STATEMENT showing the Number of Convicts in the

Nos.	Names.	Age.	Crimes.
44	Daniel Lewis	30	Negro stealing
45	Wm. Reese	31	Negro stealing
46	Wesley Lyons	19	Negro stealing
47	Wm. H Foster	22	Passing counterfeit money
48	Ebenezer Earl	50	Negro stealing
49	Andrew Buill	62	Burglary
50	Michael Long	26	Negro stealing
52	Wm. Collins	19	Obtaining money falsely
53	John Gibson	58	Larceny
54	John A Dickey	35	Grand larceny
55	Wm. C Coon	24	Negro stealing
56	George Rollins	23	Larceny
57	Wm. Blocker	19	Larceny
58	Wm. Morrison	16	Larceny
59	Wm. Davis	23	Larceny
60	Kendred Bennet	44	Altering marks
61	Bill f. m. c.	17	Larceny
62	Joel Obey	25	Grand larceny
63	Joseph H Johnston	29	Larceny
64	James Hardgraves	30	Larceny
65	Wm. Borem	40	Larceny
66	Oliver J Stafford	24	Grand larceny
67	*John F Teague	17	Larceny
68	Wm. Morgan	20	Shooting to kill
69	Davidson Kirk	46	Negro stealing
70	William Carter	55	Manslaughter
71	James Brewer	31	Larceny
73	John Madison	25	Attempt to steal a slave
76	Wm. D Nixon	34	Manslaughter
77	Nathan Lambert	60	Manslaughter
79	Wm. Thompson	21	Felony
80	Dan'l W Daniels	42	Perjury
81	Wm Brown	33	Larceny
82	Capt. Russell		Obtaining money falsely
83	Samuel E Howell	22	Forgery
84	James Rardon	22	Larceny
85	Jessee Tedder	68	Attempt to poison
86	Henry Miller	24	Obtaining goods falsely
88	Stephen D Hughes	29	Manslaughter
89	*Jos. H Aikin	28	Larceny
92	Thomas Powell	28	Larceny
93	John L Roberts	27	Larceny

Mississippi State Penitentiary, Nov. 30th, 1849.

Counties where condemned.	Date of Admission.	Expiration of Sentence.	Place of Birth.
Adams	May 18, 1848	May 10, 1858	Georgia.
Lowndes	Oct. 25, 1844	Oct. 25, 1854	England.
Marshall	Sept. 23, 1847	July 2, 1857	Tennessee.
Tunica	Sept. 17, 1847	Sept. 9, 1854	New York.
Adams	Nov. 30, 1847	Nov. 26, 1857	New York.
Adams	June 11, 1844	June 6, 1856	New York.
Warren	May 7, 1849	May 4, 1859	Ireland.
Warren	April 27, 1848	April 26, 1850	Pennsylvania.
Harrison	Mar. 17, 1848	Mar. 10, 1850	Pennsylvania.
Tishemingo	Mar. 23, 1847	Mar. 6, 1851	South Carolina.
Wilkinson	Dec. 23, 1848	Dec. 19, 1858	Mississippi.
Rankin	Nov. 30, 1849	Nov. 29, 1852	Pennsylvania.
Amite	Mar. 14, 1847	Mar. 6, 1850	Mississippi.
Warren	April 27, 1848	April 26, 1850	Mississippi.
Lowndes	Oct. 24, 1849	Sept. 27, 1851	Alabama.
Chickasaw.	Mar. 23, 1849	Mar. 10, 1851	South Carolina.
Monroe	Nov. 21, 1849	Oct. 26, 1854	Maryland.
Warren	May 7, 1849	May 4, 1853	Louisiana.
Adams	June 2, 1846	June 1, 1850	Georgia.
Panola	June 7, 1848	May 27, 1851	Alabama.
Tippah	Oct. 12, 1847	Sept. 30, 1850	Virginia.
Marshall	Jan'y 21, 1848	Dec. 21, 1849	Georgia.
Monroe	May 15, 1845	May 1, 1854	South Carolina.
Lawrence	Feb'y 6, 1849	Feb'y 3, 1854	Mississippi.
Panola	Dec. 3, 1848	Nov. 24, 1858	North Carolina.
Covington	Nov. 15, 1848	Nov. 11, 1858	Virginia.
Smith	May 21, 1849	May 14, 1851	South Carolina.
Lafayette	May 14, 1849	May 3, 1852	Virginia.
Itawamba	April 27, 1844	April 20, 1854	South Carolina.
Perry	Nov. 25, 1848	Nov. 18, 1856	South Carolina.
Leake	Mar. 20, 1849	Mar. 14, 1852	Florida.
Copiah	Nov. 29, 1846	Nov. 28, 1856	New York.
Yalabusha	Nov. 25, 1848	Nov. 8, 1850	Tennessee.
Warren	May 7, 1849	April 7, 1851	Ohio.
Panola	Nov. 29, 1846	Nov. 6, 1851	Georgia.
Tallahatchie	Dec. 6, 1847	Dec. 6, 1849	Indiana.
Chickasaw	Mar. 24, 1848	Mar. 10, 1856	North Carolina.
Warren	May 7, 1849	April 17, 1851	Virginia.
Rankin	June 1, 1849	May 31, 1851	Virginia.
Hinds	Dec. 12, 1846	Dec. 11, 1849	Tennessee.
Adams	May 18, 1848	May 8, 1850	Ireland.
Lowndes	Oct. 14, 1848	Sept. 30, 1851	South Carolina.

STATEMENT showing the number of Convicts in the

Nos.	Names.	Age.	Crimes.
94	Wm. Barton	39	Grand larceny
95	Wm. Taylor	23	Forgery

Total—86

Those marked with a * were committed to this prison a se-

Attest: D. N. Barrows, *Clerk.*

Mississippi State Penitentiary, November 30th, 1849.

COUNTIES WHERE CONDEMNED.	DATE OF ADMISSION.	EXPIRATION OF SENTENCE.	PLACE OF BIRTH.
Adams	May 18, 1848	May 8, 1851	Tennessee.
Adams	May 18, 1848	May 10, 1851	Missouri.

cond time.

J. MOSELEY, *Superintendent.*

***STATEMENT** showing the number of Convicts sent back by writs of error, discharged by expiration of sentence, pardon and death, at the Mississippi Penitentiary, during the year ending November 30, 1849.*

NOS.	NAMES.	AGE.	CRIMES.	COUNTY WHERE CONDEMNED.	DATE OF ADMISSION.	EXPIRATION OF SENTENCE.	PLACE OF BIRTH.	REMARKS.
55	Wm. Jones	60	Shooting to kill	Jasper	Ap'l 13, '48	Ap'l 6, '53	S. Carolina	Sent back by writ of error
61	Byram Jackson	23	Larceny	Marshall	Jan. 11, '47	Dec. 26, '48	Tennessee	
90	James Eden	39	Larceny	Marshall	Jan. 11, '47	Dec. 28, '48	Virginia	
68	Eber Rowe	24	Larceny	Adams	June 2, '44	June 1, '50	New York	Pardoned July 18, 1849
19	James Bradley	25	Assault to rape	Adams	June 2, '46	June 1, '51	Arkansas	Pardoned Feb. 17, 1849
96	Wilks. Nealey	28	Grand Larceny	Adams	May 18, '48	May 9, '51	Mississippi	Escaped March 11, 1849
16	Thos. Walton	38	Assault to kill	Monroe	May 7, '48	Ap'l 17, '51	Georgia	Pardoned Feb. 20, 1849
18	Wm. Miller	34	Manslaughter	Carroll	June 8, '48	June 2, '51	N. Carolina	Pardoned March 13, 1849
14	Michael Cupp	34	Altering marks	Lafayette	Ap'l 8, '47	Ap'l 8, '49	Georgia	Pardoned March 20, 1849
73	Wm. W Gray	21	Forgery	Tippah	Ap'l 21, '44	Ap'l 1, '49	Alabama	Pardoned March 31, 1849
60	Wm. Bostic	35	Grand Larceny	Chickasaw	Ap'l 4, '47	Ap'l 4, '49	Georgia	Pardoned April 3, 1849.
62	Mos. Nunnely	21	Larceny	Lowndes	Ap'l 28, '47	Ap'l 17, '49	Alabama	
75	James Cook	32	Manslaughter	Coahoma	Ap'l 25, '44	Ap'l 18, '49	Indiana	
50	Thos. Percill	29	Larceny	Warren	June 15, '44	June 12, '49	Ireland	Pardoned May 1849
97	Saml H. Miller	27	Manslaughter	Carroll	June 8, '48	June 2, '51	N. Carolina	Pardoned May 5, 1849
84	Henry Warren	18	Larceny	Warren	May 12, '47	May 8, '49	Ohio	
91	John Wilcox	21	Larceny	Warren	May 12, '47	May 8, '49	England	
88	Jno. Maloney	54	Larceny	Adams	May 18, '47	May 15, '49	Ireland	
40	J M Buttorff	31	Larceny	Adams	June 30, '43	June 7, '51	Indiana	Pardoned June 18, 1849
37	A J Archer	31	Grand Larceny	Warren	July 8, '44	June 22, '49	Virginia	

2	Robert Brown	21	Manslaughter	Yazoo	Mar. 18, '47	Nov. 16, '51	Ireland	Pardoned July 4, 1849
5	Dan'l. Knight	21	Negro stealing	Yazoo	Dec. 2, '45	Nov. 27, '55	S. Carolina	Pardoned Aug. 13, 1849
59	Jas. J White	42	Grand Larceny	Leake	Mar. 27, '46	Mar. 25, '50	S. Carolina	Pardoned Sept. 26, 1849
30	Jas. A Hall	22	Assault to kill	Tippah	Oct. 14, '45	Oct. 2, '49	S. Carolina	Pardoned Oct. 1, 1849
37	Wm. Spradley	63	Manslaughter	Lauderdale	July 18, '49	July 7, '59	S. Carolina	Died Sept. 5, 1849.
61	S Weatherly	23	Manslaughter	Marshall	Feb. 12, '49	Feb. 3, '59	Tennessee	Pardoned Nov. 6, 1849
32	J F W Smith	42	Manslaughter	Panola	Nov. 15, '46	Nov. 6, '56	N. Carolina	Pardoned Nov. 6, 1849
72	Benj. Bridges	60	Atmt. to steal slave	Simpson	Nov. 14, '46	Nov. 13, '49	S. Carolina	
78	Thos W Rivers	23	Embezzlement	Hinds	Dec. 16, '47	Dec. 11, '49	Alabama	Escaped Nov. 15, 1849
87	John Brown	40	Larceny	Green	Dec. 1, '47	Nov. 24, '49	England	Pardoned Nov. 23, 1847
56	Jno. W Grant	26	Larceny	Adams	Nov. 30, '47	Nov. 26, '49	Mississippi	Pardoned Nov. 25, 1849

Attest, D. N. BARROWS, *Clerk*. JOSEPH MOSELEY, *Superintendent*.

GENERAL STATEMENT of the Convicts in the Mississippi Penitentiary, November 30, 1849.

Whole number received since the first admission,	279
" " in confinement December 1st, 1848,	88
" " received since up to November 30th, 1849,	29
" " discharged by expiration of sentence,	9
" " by pardon of the Governor,	18
" " sent back by writ of error,	1
" " died,	1
" " escaped and not retaken,	2
" " remaining in confinement November 30, 1849,	86

Attest, D. N. BARROWS, *Clerk*. JOSEPH MOSELEY, *Superintendent*.

STATEMENT showing the operations and condition of the Mississippi State Penitentiary from 1st December, 1848, to the 30th day of November, 1849.

MANUFACTURED ARTICLES.

1848.		DR.
Decem'r 1.	To amount of stock on hand,.....	$4682 75
		4682 75

1849.		CR.
Nov'br 30.	By amount sold,.....	$1095 15
	" " stock on hand,.....	2935 14
	" " lost,.....	652 46
		4682 75

WHEELWRIGHTS SHOP.

1848.		DR.
Decem'r 1.	To stock and tools on hand,.....	$4538 41
	" amount since purchased,.....	3158 86
	" balance gained,.....	4904 60
		12601 87

1849.		CR.
Nov'br 30.	By amount received and charged,.....	$7400 97
	" stock and tools on hand,.....	5201 08
		12601 87

BLACKSMITH SHOP.

1848.		DR.
Decem'r 1.	To stock and tools on hand,.....	$1524 15
	" amount since purchased,.....	951 00
	" Balance gained,.....	960 24
		3435 39

STATEMENT—Continued.

BLACKSMITH SHOP.

1849.		CR.
Nov'br 30.	By amount received and charged,.....	$2020 95
	" stock and tools on hand,.....	1414 44
		3435 39

SHOEMAKERS SHOP.

1848.		DR.
Decem'r 1.	To stock and tools on hand,.....	$840 25
	" amount since purchased,.....	884 39
	" balance gained,.....	736 33
		2460 97

1849.		CR.
Nov'br 30.	By amount received and charged,.....	$1744 57
	" " stock and tools on hand,.....	716 40
		2460 97

WEAVERS, TAILORS AND WOOL-CARDERS SHOP.

1884.		DR.
Decem'r 1.	To amount stock on hand,.....	$1599 25
	" balance gained,.....	1223 90
		2823 15

1849.		CR.
Nov'br 30.	By amount received and charged,.....	$1115 49
	" stock on hand,.....	1707 66
		2823 15

STATEMENT—Continued.

COTTON AND WOOLEN FACTORY.

1848.		DR.
Decem'r 1.	To amount stock on hand,.....	$1260 05
	" " since purchased,.....	5895 61
	" balance gained,.....	5439 31
		12594 97

1849.		CR.
Nov'br 30.	By cash sales,.....	$10613 73
	" stock on hand,.....	1981 24
		12594 97

HOSPITAL ACCOUNT.

1848.		DR.
Decem'r 1.	To amount stock on hand,.....	$79 50
	" " since purchased,.....	176 92
		256 42

1849.		CR.
Nov'br 30.	By stock on hand,.....	$79 50
	" amount consumed,.....	176 92
		256 42

BRICKYARD ACCOUNT.

1848.		DR.
Decem'r 1.	To stock and tools on hand,.....	$2377 42
	" amount since purchased,.....	572 25
	" balance gained,.....	5948 03
		8897 70

STATEMENT—Continued.

BRICKYARD ACCOUNT.

1849.		CR.
Nov'br 30.	By amount received and charged,	$7396 95
	" stock and tools on hand,	1500 75
		8897 70

PROVISION ACCOUNT.

1848.		DR.
Decem'r 1.	To amount stock on hand,	$79 30
	" amount since purchased,	3327 70
		3407 00

1849.		CR.
Nov'br 30.	By credit to this account,	$109 00
	" stock on hand,	320 50
	" by amount consumed,	2977 50
		3407 00

CONVICT CLOTHING ACCOUNT.

1848.		DR.
Decem'r 1.	To amount stock on hand,	$234 40
	" " since charged,	926 00
		1160 40

1849.		CR.
Nov'br 30.	By amount stock on hand,	$126 00
	" " consumed,	1034 40
		1160 40

RECAPITULATION.

INCOME AND RECEIPTS.		DISBURSEMENTS & EXPENDITURES.	
To amount gained in Blacksmiths' shop	$ 960 24	By amount consumed in provisions	$ 2977 50
" " " Wheelwright shop	4904 60	" " " in hospital	176 92
" " " Shoemaker's shop	736 33	" " " in oil and lights	413 60
" " " Weavers & Taylors' shop	1293 90	" " " in forage and fuel	860 72
" " " Cotton & woolen Fact'y	5439 31	" " " in clothing and shoes for convicts	1034 40
" " " Brickyard	5948 03	" " paid for new machinery	239 24
" " received from the State	9731 42	" " " contingent expenses	960 86
" " cash on hand	3456 79	" " " on Superintendt's new house	1246 14
		" " " officers salaries	3710 00
		" " " Guard and superintendent of Factory	4655 77
		" " " Inspectors' per diem	110 00
		" " " to discharged convicts	454 88
		" " loss on sales of manufactr'd articles	652 46
		" cost of brick made for Asylum	4500 00
		" " of building four cisterns	500 00
		" " of cutting and hauling 500 cords of wood	750 00
		" " of pavement ordered by the Gov'r.	200 00
		" " of repairs on windows in Auditor's office	5 00
		" " of a table for Treasurer's office	30 00

		" " keeping prisoners waiting for new trials.....	109 00
		" " in and out-door work about prison.	784 75
		" " repairs and improvements about factory and shops.....	1542 00
		" " making 450 feet brick gutters.....	112 50
		" " 50 brick and cement floors in cells	500 00
		" " 4 pumps made for prison.....	48 00
		" " fitting 2 cisterns in prison yard....	30 00
		" " 2000 bushels corn meal for convicts	1000 00
		" " steps to front of prison.....	10 00
		" " new frame for cylinders in factory.	5 00
		" " whitewashing prison three times...	100 00
		Lost by decrease in amt. of stock, tools, &c..	993 53
		By balance (net profit).....	3688 23
	32,400 62		32,400 62

N. B.—$3092 85 of the above net profits have been paid into the State Treasury, as will appear by the State Treasurer's books and voucher on file. Nov. 30th, 1849.

Attest: D. N. BARROWS, Cl'k.

J. MOSELEY, Superintendent.

REPORT.

To His Excellency, Joseph W. Mattthews,
Governor of the State of Mississippi:

In obedience to an act of the Legislature, approved 4th March, 1848, entitled "an act to establish a Lunatic Asylum in the State of Mississippi," the undersigned, Commissioners appointed in pursuance of said act, proceeded to the discharge of their duties, by the selection and procurement of a suitable place for the erection of a Lunatic Asylum, about one and a half miles north of the city of Jackson, combining, as they believe, more advantages for the purposes intended, than any other spot that could have been selected within a reasonable distance of the Capitol. The experience of the last fifty years has demonstrated that Hospitals for the insane, when intended as curative establishments, should be located in situations combining the advantages of health, retirement, as far as is practicable, from the excitements connected with business; and with sufficient space for gardens and grounds in which the unfortunate inmates may be as seldom reminded as possible, of the restraints necessary to be imposed upon them, and may find that healthful exercise and pleasurable recreation which are considered necessary in all well regulated institutions of this character for the comfort of the patients, and the restoration of their mental faculties. Having examined, with much care, the locations of the principal Insane Hospitals in the United States, under the superintendence of the most eminent medical men, who have given their whole lives to the study and practice of this particular branch of their profession, the Commissioners proceeded to dispose of lot No. 6 north, in the city of Jackson, which was donated by the Legislature for this purpose, and in lieu thereof, purchased one hundred and forty acres of land, situated as before described, and admirably adapted to the purposes intended, upon which they have proceeded to erect the Asylum. The proceeds of lot No. 6, which, after proper notice, was sold to the highest bidder at public sale, amounted to the sum of seven hundred dollars, and the land purchased in lieu thereof, amounted to the sum of seventeen hundred and fifty dollars, which was paid, and the title properly secured to the State. The plans and estimates of the building furnished by the Architect, as well as the progress made in the erection of the same, will be found

in the statement herewith appended, marked A, as well as the estimates made by the Architect for the sum that will be necessary to complete it, according to its original design. To this must be added the sum of —— dollars, for the purchase of furniture, fixtures and ordinary appliances for the safe keeping and comfortable accommodations of its inmates, after which, it is believed, that it will not be incumbent on the State to make any further appropriation for the support and maintenance of the Institution. The various descriptions of work, necessary in the erection of the building, were let out to the lowest bidder, security being taken in all cases for the faithful performance of the contract, which contracts are herewith apppended, marked B and C, and are believed to be as reasonable as any that have been made for similar work in this part of the State; and the sums of money drawn from the Treasury under the act before referred to, as well as the manner in which they have been appropriated, will be found in statement D, herewith annexed.

The undersigned would here close this report, and leave to the enlightened humanity of the Legislature the pleasing duty of making the necessary appropriations for the safety and relief of this most unfortunate class of their fellow-citizens, whose appeals for assistance are made in the eloquence of suffering and silence, but for the misrepresentations that have gone abroad, and the false impressions that have been created upon this subject by the ignorant or designing.

When the attention of the undersigned was first called to this subject by their appointment to act as Commissioners, they felt it to be their duty to lay the foundation of such a structure as would be in some degree commensurate with the necessities of the people of the State, and in accordance with the spirit of liberality which dictated to the Legislature the necessity of making some provision for the safe keeping and restoration of the insane, within its borders.

To have completed and furnished a building ready for the reception of patients, with the means appropriated by the Legislature, would have been an utter waste of the fund appropriated; it would neither have met the expectations of the people, have been compatible with the dignity of the State, or at all compared with other public improvements dictated by the correct taste, and public spirit of the peoples' representatives. The insane in the State of Mississippi, according to the census of 1840, amounted 198, and when it is remembered that great delicacy exists upon this subject, and a strong disinclination on the part of friends and relatives to report a "loved one" as falling within this class, we may safely estimate that at least one-half the number were overlooked. The proportion of the insane in the United States, as compared to the whole population, amounts to 1 in 997, which, in a population estimated now to amount to at least 450,000, would make at least 450 in the State of Missis-

sippi; and when it is remembered that the history of the world has proven that insanity exists to a much greater extent, in all countries where speculation exists, where fortunes are suddenly acquired, and suddenly lost, where commercial enterprise, and a constant strain upon the mind in the acquisition of money, tend to impair or break asunder the cords that bind up the human intellect, we may fairly set down our own State as being entitled to rather more than her fair proportion in this mournful ratio. From a memorial recently presented to the Legislature of the State of Alabama, (by one who has taken much pains to obtain correct information upon this subject; one who has spent a life time in visiting Prisons, Almshouses and Asylums, and whose memory will be consecrated in the hearts of the American people for all time to come, for efforts unparalleled in behalf of this unfortunate class of society,) we learn that the insane in that State, amount to 600, and making the proper allowance for the difference of population, we may safely estimate the number of the insane in our own State at 500. Many of these unfortunate beings have been sent to other States, where the enlightened humanity of the Legislators has made provision for such sufferers. Many have returned from these Hospitals entirely cured, and been thereby restored to their friends and society. Many, (from the crowded state of foreign Hospitals,) have been denied admission and were forced to return, and having been deprived of the restorative treatment which a well conducted Hospital only affords until their disease assumed a chronic form, they have been doomed to pass the residue of their lives under the dark cloud in which disease and misfortune have enveloped them. Some are wandering through the country, from the inability of their friends to restrain them—endangering the safety of individuals and neighborhoods—others are subjected to such restraints as family and friends impose—some, in the hands of unfeeling strangers, are familiar with the chain and ring, the stern rebuke, and not unfrequently the lash, while many others are the inmates of Prisons, and the associates of Felons, breathing the poisoned odors of the dungeon, and denied the blessings of any other light than the struggling rays that wander through iron grates, and this not for crime committed, or even meditated, but for the misfortune of being insane.

To provide for this class of unfortunate beings; to bring within the reach of curative means all such as might be restored by proper medical treatment, united to kind and sympathising attentions, and to provide a safe and comfortable retreat for the *incurables*, where the residue of their lives might be passed in a way to prevent them from injuring themselves, or others, and as free from personal restraints as would be consistent with a due regard for their safety, seemed to be the object of the Legislature, influenced by the dictates of an expansive charity, and in accordance with the benevolent enterprise of the age. While, in every free country,

Legislative interposition is demanded, taxes imposed, and large sums appropriated, in order to enlighten the human mind by the establishment of schools, colleges and academies, in which the minds of the rising generation are trained to knowledge and virtue, and the means of education are placed within the reach of all; which it has become the boast of our State, that by our system of free schools we are training up the infant minds of the country to become the safe depositories of our free institutions; and while an enlightened constituency cheerfully submit to the imposition of taxes for this purpose, shall it be said that a large class of our population, who, under the heavy hand of affliction, or the reverses of fortune, have been deprived of their reason, shall be denied the blessings of restoration to society and usefulness, and be doomed to remain tenants of the dark Prison house of insanity, bereft of that consciousness which endears man to his existence, and forever cut off from the hopes of this world or the world to come; or shall the poor maniac, deprived of friends to watch over and guard him, wandering in destitution and want, find no public sympathy to provide him a better home than the county jail, and no bettter treatment than that which falls to the lot of felons? Religion, humanity, public spirit and State pride alike forbid it.

It has been, comparatively speaking, but a few years since the subject of insanity, and the peculiar treatment necessary for the restoration of reason, has engaged the public attention, and received from the hands of Religion, Philosophy and Scientific Analysis, a remedial treatment, commensurate with its necessities. The insane were everywhere considered as an outcast species, upon whom the anger of Deity had set the black mark of reprobation, and whose existence was not only deplored, but only tolerated by claims to humanity, too urgent to be wholly disregarded. The simple and harmless monomaniac with his disordered fancies, who, by proper medical treatment, united to the soothing appliances of friendship, might have been speedily restored to the full exercise of his mental faculties, was left to the vagaries of his own bewildered imagination until the disease became chronic in its character, and the light of reason wholly extinguished; and having, as it was then thought, become a fit subject, he was consigned to the rags and filth of the Almshouse, committed to the care of some drivelling crone, herelf insane, and there, without friends or sympathy, cut off from the world and lost to hope, they were destined to pass the long and dreamless night of insanity. If, however, their better condition in life admitted of it, they were sent to the mad-house, where every species of bodily restraint was imposed upon them, where chains and dungeons were considered as the only means of security, and the whip the only instrument to procure submission; and there shut out from the world in gloom, in darkness and in filth, were those unfortunate wretches doomed to wear out the remainder of their lives, forgotten and uncared for by the world, suffering for

the want of medical assistance, and, above all, for the soothing consolations of friendship.

France, always first in testing the results of philosophical investigation, gave the powers of her mighty intellects to the great work, and amidst the fires of her first revolution sent forth the great Pinel to demonstrate to the world, that insanity was not an incurable disease, and that retirement, kindness, sympathy and an absence from exciting causes were the sure assistants to medical treatment in restoring man to the image of his maker. This great Philosopher, armed with the public authority, and attended by one of its most distinguished functionaries, visited the mad-house near Paris, and at once commenced the work of liberation. The keepers fled in alarm, and even Coulton quailed, while Pinel toiled in drawing bolts, and knocking off chains, until at the expiration of a few hours, he was surrounded by fifty-three furious maniacs, that had long been the terror of their keepers, and the subjects of the most rigid and barbarous prison discipline, and in this crowd was found one who had been confined to one staple for forty years, and in the time, had destroyed one or more of his keepers. So far from doing Pinel an injury, they hailed him as their deliverer, and under the influence of his kind treatment, most of them were soon restored to health, to reason, and to society.

England at once took up the subject, and by the union of individual enterprise, and parliamentary enactment, magnificent Hospitals for the treatment of the insane were established in various parts of the kingdom. This subject has received increased attention at the hands of succeeding parliaments, until at the cost of many millions of pounds sterling, an insane Hospital under the charge of accomplished medical superintendents has been established in every county; and so much attention has been given to remedial treatment of the insane under the fostering care of the goverment, that it has been satisfactorily established that at least 80 per cent. of all the cases of recent occurrence that are submitted to Hospital treatment are speedily restored. Under the influence of this curative system, some of the most distinguished members of parliament, eminent Divines, and literary savans, have been brought back from their temporary abberrations, and again become the lights and ornaments of the age. An eminent medical superintendent of an institution of this character in Massachusetts, a few years ago, visited most of the insane Hospitals in Europe, and upon his return, testified to the increasing attention which this subject is engrossing on the other side of the Atlantic; as well as to the good order, systematic arrangement, humanity, and freedom from personal restraints, that characterise the management of these institutions.

Nor have the people of the United States been regardless of the claims of 22,000 lunatics, scattered over the whole country, and appealing to their sympathies in every form that suffering humanity can urge for assistance and relief. Most of the States of the

Union have been in advance of us in demonstrating their regard for this unfortunate class of their fellow creatures by making some provision for their wants. And notwithstanding the provision made in almost every State for the safety and recovery of the insane by the erection of Hospitals, these institutions are so crowded with applicants for admittance, that so far from being able to accommodate the unfortunates of other States, they have been compelled, in many instances, to erect new Hospitals for the accommodation of their own citizens. New York, at a cost to the State of more than a million and a half of dollars, has erected and supported two institutions capable of accommodating about one thousand patients. The city of New York has established a large Hospital for the insane poor of the city, at an enormous expense, and sufficient to provide for the wants of about six hundred. Besides these, there are two large Hospitals established by individual enterprise for the exclusive accommodation and treatment of the insane. And yet with these great facilities, New York is not yet provided with the means of properly caring for her insane population, and in a few years will doubtless build up another State Hospital for the insane, that will rival, if not surpass, her splendid "Bloomingdale Asylum," now the ornament of the city and the pride of the State.

Massachusetts has established her "McLean Asylum" at the cost of $250,000, and her Worcester Hospital for the insane at the cost of $155,000, besides private Hospitals of the same character; and all of these, under the superintendence of some of the most eminent medical men of the age, are dispensing the blessings annually to thousands.

Pennsylvania, for many years, had two Institutions of this character, but finding them insufficient to accommodate the whole of this class of her population, and influenced by the eminent success of Doctor Kirkbride in his treatment of the insane and his eloquent appeals in their behalf, has recently, at the cost of $325,000, established the "Pennsylvania Hospital for the Insane," at the head of which, is placed that eminent medical Philanthrophist, a monument alike of the Legislative wisdom of the State, as well as of the genius, philanthrophy, and medical attainments of its present distinguished superintendent.

Virginia, as early as 1769, established a Lunatic Asylum at Williamsburg, but finding this insufficient to meet the wants of her population, has within the last few years, at the cost of $106,000, established another at Staunton, both of which are supported by annual appropriations made by the Legislature.

New Jersey has recently erected a Lunatic Hospital, at the cost of $153,000; Kentucky has two, and Tennessee has very recently appropriated $40,000, with which to commence the erection of a second Hospital of this character; while Maryland, Ohio, the Carolinas, Georgia, Louisiana, Indiana, Illinois, Missouri, and almost every other State in the Union, have made large and liberal appro.

priations, in order to meet the wants of this class of their population, whose claims are now being recognised by every civilised government on earth.

In view of these facts, so grateful to the feelings of the good and humane in every part of the world, may we not exclaim in the language of Dr. Bell, one of the most eminent and eloquent medical men of the age, that "in casting our eye over the great field of benevolence in which institutions for the benefit of the insane are engaged, the project is truly noble and encouraging. In our own land, new Institutions are arising, in which liberality, zeal and intelligence are combined, and emulously striving to surpass those already established in the wisdom of their provisions and the amount of their facilities; while those which have been long established are anxious to make continued progress, and to add to their means the experience of all countries. An enlightened humanity is providing proper care for the rejected insane of the lowest rank, in the intellectual and social scale; the personal exertions, and sacrifices of philanthrophists of both sexes are felt in new impulses of private benevolence, and new enactments of Legislatures. The diminution of the deep-rooted, morbid prejudices respecting insanity, and of the unsound views of its nature which formerly prevailed, and its recognition as a physical malady involved in neither mystery or disgrace, mark this better era. Last, and perhaps not least, among the propitious circumstances attending the insane in our land, are the friendly co-operation and honorable confidence amongst those called to the direction of our public Institutions, manifested in their free communications with each other."

"In other countries, a new and energetic spirit seems to be awakened, which will not rest until ancient abuses are done away. In Great Britain, the aroused attention of the Imperial Parliament to this subject; the wise and thorough inspection exercised by the great commission of lunacy; the efforts to do away with personal restraints, and as a necessary concomitant, to elevate the class of those entrusted with the immediate care of the insane; the growing—perhaps decisive manifestations of an intelligent public sentiment against committing those bereft of reason into the hands of uninspected and interested private individuals, are all worthy of being observed as presages of a better day for the insane of that country, and furnishing poor communities with means of avoiding the wrongs and difficulties, which appear for ages to have surrounded that unfortunate class.

"Whilst so much has been done and is doing for the cause, the relief and the protection of the insane, may it not be hoped that the still more important subject of the prevention of the disease, may awaken more attention than appears yet to have been awarded to it? that a more careful and philosophical cultivation of the intellect, the moral powers and the affections, may guard the constitutionally predisposed, from those ill balanced conditions of mind, and mis-

proportions of character, which so often precede positive alienation? and that the education of the feelings, the temper, and self-control of the young, may be so directed that physical disorder shall not so often find the reason ready for overthrow."

Since the above was written, much has been done to test the efficacy of remedial treatment, not only in arresting the progress of insanity, but in restoring the patient permanently to the possession of his faculties, and it has been too clearly demonstrated to admit of any doubt whatever, that the treatment received in well regulated hospitals for the insane, is eminently curative in its caracter, and while it secures the individual from injuries inflicted upon himself, it gradually weans him away from his disordered fancies, and once more restores to him the empire of reason. The very worst cases of mania, if submitted to hospital treatment at an early stage of the disease, almost invariably give way to the remedies used, and the patient is sent back to the bosom of his family, again fitted to fill, and perhaps to adorn the station allotted to him in life, whereas a delay in seeking the proper remedies, or the excitement consequent upon a transportation to the hospital of a distant State, invariably aggravate the symptoms of the disease, and most generally leave the patient beyond the reach of recovery.

Impressed with these views, the commissioners believed that an asylum for the insane should not only be established under the authority, and by the patronage of the State, but that in its location and erection, it should be adapted to the wants, and just expectations of the people of Mississippi. The design of the building was adopted after a careful examination into the plans and recent improvements introduced into some of the principal hospitals of recent construction, and when the same shall have been completed according to its design, it will not be sufficiently extensive to accommodate more than one-half of the insane in this State, nor cost (as it is believed) one-half as much as any similar State institution in the Union. To have erected it upon a more extensive scale, would not, in the opinion of the commissioners, have been consistent with that due regard to economy which they felt it to be their duty to keep constantly in view, and to have curtailed it of its fair proportions, and to have omitted those appliances so absolutely essential to the safety and recovery of the afflicted, would neither have comported with the dignity of a State institution or have met the spirit of humanity, or just expectations of the Legislature that made the appropriation. Liberal allowances are made by all christian nations for the erection of hospitals where the poor and afflicted may find proper nourishment and medical assistance, and shall it be said in this enlightened age, that five hundred human beings afflicted with the worst of all human maladies (the loss of reason) shall hold up their hands and implore the Legislature in vain for protection and relief? It would be a libel upon the people's representatives to suppose this to be possible.

By an examination of the plan and estimates of the architect, herewith submitted, it will be seen that the sum of thousand dollars will yet have to be appropriated by the Legislature in order to complete the building according to design, and this might be made in two annual appropriations, giving the largest sum for the present year, in order to meet the heaviest expenditures which will accrue from the purchase of materials essential in the present condition of the building. By an appropriation of a less sum than this, the completion of the building, and the benefits intended to be conferred by it, must be procrastinated to some far distant day. To deny an appropriation, would be equivalent to an abandonment of the enterprise, and result in the loss of the materials already purchased, and the labor heretofore bestowed upon it; but if this is to be the final result, sound policy would dictate that it should be done *now* and further expenses saved to the State. But the commissioners will not permit themselves to believe for a moment, that such a state of feeling, or such contracted views could possibly exist in the minds of the representatives of the enlightened and highly intelligent people of Mississippi. Nor do they conceive it to be their duty to knock at the door of the Legislature and humbly implore relief for this suffering class of their fellow-citizens, when they remember with pride, that it is the character and temper of the times, for legislatures to seek for cases of suffering humanity, and by some general and adequate provision, bring relief to the distressed. Neither will it be considered necessary to enforce upon an assembly of educated, humane and liberal minded men, the necessity of making provision for those unhappy and destitute beings who, by a wise, though inscrutible dispensation of Providence, have been made subject to this awful calamity, and whose sufferings and helpless condition demand that they should receive an unusual share of sympathy. Nor need we remind the Legislature in the eloquent language of Lord Ashley, that while to-day they are sitting in deliberation as a set of reasoning men, to-morrow they may be as helpless as those poor creatures whose cause we are pleading. A fever, a sudden reverse, the loss of a dear friend, the loss of fortune, any one of these may in an instant reduce them to the level; their minds may become a wreck, and they remain a sad but salutary lesson of the frail tenure by which we hold all that which is most dear to us.

WILLIAM S. LANGLEY,
THOS. J. CATCHINGS,
WILLIAM MORRIS,
H. HILZHEIM,
C. S. TARPLEY,
} *Commissioners.*

[EXHIBIT A.]

To the Commissioners for the State Lunatic Asylum :

GENTLEMEN: Herewith I hand you a report containing the information "requested," of the situation and progress of the different contracts on the Lunatic Asylum, previous to your reporting to the Legislature.

The contract for digging the foundations and cellar was made 7th November, A. D. 1848, with J. Spengler; was to have been completed by the 25th day of December, A. D. 1848, but owing to very rainy weather, it was not completed for some time afterwards; consequently, the brick contractors, Messrs. Parker, were unable to commence the brick work as soon as was intended; but as soon thereafter as the weather was favorable, they commenced and prosecuted their contract with vigor, as long as they had brick; and have been in readiness to finish their contract by the time named therein, viz: 1st December, A. D., 1849; but owing to an unusual season for brick making, this last summer, the Penitentiary was unable to furnish the brick in time for the bricklayers to complete their contract by the time required in said contract. A part of the brick were made, but not burned, in consequence of which, Messrs. Parker were compelled to take most of their hands from the building, and had to find employment for them at other places until the brick were ready. However, there was a portion of brick at the brick-yard and at the building, at the time Parkers were absent from the work with their hands, but they were not such brick as were fit to lay in the foundations of a heavy building, consequently I instructed Mr. Parker not to use them, nor any other than well burned brick, until the work was clearly above the surface of the ground; and in fact there ought to be no salmon brick used unless it were in the upper story; because salmon brick used when there is any disposition towards a settlement in any building, will split through fifty feet of plumb wall; and hard brick used with good cement, will generally overrule settlements, and each of the commissioners have had this pretty clearly demonstrated to them about Jackson.

The brick work has progressed far enough to be ready for one tier of joists, and I suppose there is about eight hundred thousand brick laid, (probably a little more) as I have not made an accurate measurement in consequence of the walls not being at any regular level, but as soon as the building is leveled all around, say ready for the joists, I will make a definite measurement. So far as it has progressed, it is creditable to the Messrs. Parker, and according to contract.

The iron furnished by G. W. Langley & Co., has not been yet used, and I preferred to leave it in their possession until the time it was to be used on the building, as the commissioners had no special

agent to take charge of it until wanted, which will be at the level of the joists.

The carpenters' work of two tier of joists and two tier of window frames, which was contracted for by N. G. Grant, has been progressing. One tier of window frames for the cellar, has been placed upon the building, and the centre tier of joists upon the wings. I believe all the balance of the lumber to complete Mr. Grant's present contract is at the building, but as there was some detention about the brick, Mr. Grant does not finish his work faster than is necessary to keep out of the brick layers' way, although he has given no detention to the progress of the building in any way, and is ready, I believe, to complete his contract as fast as the building progresses to permit him.

Should the State prosecute this work to its completion, it will take two millions of brick to complete the present plans adopted by the commissioners; and I can say to the commissioners the contracts that they have made are as low as can possibly be made, and the work done is of the most substantial character.

If the building continues to progress, one of the first things necessarily wanted, will be cast iron registers of different sizes for the opening and shutting of the warming and ventilating flues, as they ought to be built into the walls as the walls go up.

I also hand you the plans of the building, for your use or that of the Legislature.

If the commissioners ask the Legislature for an appropriation to complete the building begun, it will take fifty thousand dollars to complete them.

Respectfully submitted:

WM. GIBBONS,

Architect for Lunatic Asylum.

[Exhibit B.]

This contract made and entered into this day, between A. G. Grant of the party of the first part, W. S. Langley, H. Hilzheim and Wm. Morris, commissioners of the State of Mississippi, of the party of the second part, to-wit: The party of the first part agrees to do all the work that is required in the annexed specifications, for carpenters' work in building a Lunatic Asylum for the State of Mississippi, as well as finding all the lumber and hauling, together with nails, &c., &c., that the specifications required to fully complete the same in accordance with the aforesaid specifications, and to the satisfaction of the architect of the Asylum. For, and in consideration of which, the party of the second part, agrees to pay, or cause to be paid, to the party of the first part, the prices as are particularly set forth in the party of the first part's bid, which bid is herewith attached, and made a part of this contract. The pay-

ments to be made as is set forth in the specifioations, upon a certificate from the person superintending the building.

The party of the first part agrees to have all the carpenters' work and lumber ready without delay to the brick layer, or upon delays, he, the party of the first part agrees to forfeit five dollars for each day the brick layers are detained forfeiture, commencing after the second day's delay, and the party of the first part being notified by the brick layer, that such carpenters' work is detaining the progress of building. In testimony whereof, the parties have hereunto set their names and affixed their seals the 28th day of July, A. D., 1849.

WM. S. LANGLEY, [seal.]
WM. MORRIS, [seal.]
H. HILZHEIM, [seal.]
A. G. GRANT, [seal.]

In presence of WM. GIBBONS, Architect.

[EXHIBIT C.]

This contract made and entered into this day between C. A. & H. G. O. Parker, of the party of the first part, and W. S. Langley, W. R. Gist, W. Morris and H. Hilzheim, (commissioners of the State of Mississippi,) of the party of the second part, to wit:

The party of the first part agrees to do all the labor required in laying one milion five hundred thousand bricks, (more or less,) as the party of the second part may require, in building a Lunatic Asylum about two miles from Jackson, for the State of Mississippi. The party of the first part further agrees to find all said lime, water, scaffolding and the hauling of every material connected with laying the brick, as well as making all scaffolds, &c., and to do all the work according to the plans and specifications, together with the instructions of the architect. For, and in consideration of which, the party of the second part, agrees to pay, or cause to be paid, to the party of the first part, the sum of four dollars and ten cents per thousand, for the full compensation thereof; the manner and system of measurement to be adopted as is particularly set forth in the specifications marked A, accompanying this contract, which specifications are herewith attached and made part of this contract. It is understood by the parties of the first and second part, that the brick layers carry up and set all the lintels in the building, and for his compensation, the lintels to be measured as solid brick work, but not the openings. The brick work to be commenced immediately the cellar for the building is dug, and to be prosecuted with vigor until the contract is completed, which is to be completed and the walls covered up by the 1st day of December, A. D., 1849, or in failure thereof, the party of the first part agrees to forfeit ten dollars for each day the work is in operation to complete the contract,

to the party of the second part as liquidated damages for the non-compliance with their contract; whatever amount of days the party of the first part may be detained by the carpenter, the same number of days is to be allowed to the party of the first part, after the 1st day of December, A. D., 1849, upon the forfeiture of ten dollars a day is to take effect. And it is to be understood that when the amount of one million five hundred thousand brick, more or less, are laid, this contract for brick work to be at an end, payments to be made as is set forth in the specifications. Witness whereof we the parties have set our names and affixed our seals, this 29th day of January, A. D. 1849.

WM. S. LANGLEY,
WM. MORRIS,
H. HILZHEIM,
W. R. GIST,
CALEB A. PARKER,
H. G. O. PARKER.

[Exhibit D.]

Commissioners of Lunatic Asylum, in account with the State of Mississippi.

1848, June 24,		DR.
To this amount on Auditor's warrant,	$5,000 00	
1849, September 21. do. do.,	5,000 00	
		$10,000 00
To proceeds of sale of town lot No. 6, north,		700 00
		$10,700 00
	CR.	
By this amount paid for 140 acres of land,	$1,750 00	
By expenses of Architect while examining various hospitals for the insane in the United States,.....	327 00	
By cash paid Architect for drawing plans and four months' services,.....	150 00	
By cash paid Penitentiary for lumber,	350 00	
By cash paid attorney's fee for examining deeds,.....	50 00	
By cash paid Jos. Spengler for excavating,	635 10	
By cash paid R. N. Eubank for changing road,.....	50 00	
By cash paid G. W. Langley for iron,	230 98	
By cash paid Osburn & Burgess for patterns, ...	19 00	
By cash paid E. Pickett for services as secretary,.....	50 00	
By cash paid for clearing and grubbing ten acres,.....	50 00	
By cash paid C. A. & H. G. O. Parker,	4,000 00	
By cash paid for recording deed,....	1 50	
By cash paid Wm. Gibbons for thirteen months' services as Architect,....	650 00	
By cash paid A. G. Grant,.....	1,000 00	
By cash paid for printing and sundries,	51 85	
By amount of cash on hand,.....	1,334 57	
		$10,700 00

WM. MORRIS, *Treasurer.*

REPORT.

SOUTHERN RAILROAD OFFICE,
Brandon, Jan. 1, 1850.

His Excellency JOSEPH W. MATTHEWS,

Governor of the State of Mississippi:

In compliance with the provisions of the "Act to extend the railroad eastwardly beyond Jackson," approved Feb. 24th, 1848, and the provisions of the various acts therein adopted, the Commissioners of the Southern Railroad, appointed in pursuance thereof, submit to your Excellency the following report, to be by you communicated to the Legislature of said State.

On the 16th June last, at the request of your Excellency, a report was made, for publication, of the total amount of money received from the two per cent. fund, up to that date; and, also of the condition and progress of the work up to that time, and to which reference is now made. But, agreeably to your request, and in order to make a more connected and detailed report of all matters, to the present time, it is deemed advisable to include herein, a full report of all proceedings of the present Board, from their organization up to this date.

The Board met and was organized on the 4th day of March, 1848; and in April, 1848, an engineering corps, under the direction of C. W. Banks, Esq., as chief engineer, was organized for the purpose of making a survey of the proposed line of the road from Brandon, eastwardly, to the dividing ridge, between the waters of Pearl river and Chickasawha, in the direction of Montgomery, in Alabama; and a route was surveyed for the distance of twenty-five miles in that direction, and running near the dividing line between Scott and Smith counties, which was found to be very favorable to the extension of the road eastwardly.

The operations of this corps were very greatly retarded, by the protracted inclemency of the weather, in May and June, 1848; and chiefly in consequence thereof, and also from the fact, that a portion of the engineering corps was required to superintend operations on the line between Jackson and Brandon, it was dissolved about the 1st July, 1848 — and, as the condition of the means then at the disposal of the Board were insufficient to place any portion of the line surveyed east of Brandon, under contract,

or to place any portion of the negro force at work thereon, no final location of any part of the line was then made.

On the 28th March, 1849, a preliminary examination, by the engineer, was directed to be made, of a route eastwardly, communicating with the valley of Pilahatchie creek; and from thence, to or near its source; and thence, in a direction as near as practicable, to Montgomery in Alabama, for the purpose of ascertaining the comparative merits of the two proposed routes, and make a final location of a portion of the one which, on such examination, was deemed most eligible. This survey and examination was never completed, and no portion of either route has ever been finally located.

By a resolution of the Board, Aug. 1st., 1849, the engineer was directed to locate immediately, the road ten miles east of Brandon, and without assigning any satisfactory reason, he failed to comply with the order of the Board; and at its next meeting, September 3d, tendered his resignation. The Board used every exertion to obtain a competent engineer for such service, but did not succeed in procuring one until about the first of December last. An engineering corps is now organized, with directions to make an examination and survey of the proposed line, communicating with the valley of Pilahatchee creek, and from the head waters of said creek, through Scott county, towards the Alabama line, approximating as nearly as may be deemed advisable to the line run by J. H. Tracy, State engineer in 1843, but making such deviations therefrom, either particularly or generally, as might be found expedient; and in connection with such survey, to obtain all the information which can be done by an examination and reconnoisance of the country east of the terminus of the line run by C. W. Banks in 1848, with reference to continuance of the same eastwardly, on the proposed route to the Alabana line. This survey will be conducted with all practicable expedition; and as soon as completed, the results will be reported to the Governor, and if possible, during the present session of the Legislature.

The two routes proposed above, are believed to be the only practicable ones, and for the purpose of obtaining the necessary information, to decide on the comparative merits of each, a preliminary survey is indispensible. The probable cost of construction of the whole line, together with its probable value, as an investment, will be more fully mentioned hereafter.

The annexed balance-sheet exhibits the total amount of money received, up to this date, from the two per cent. fund, and exchange account, (being the premium on United States Treasury Notes,) and the different heads of expenditures of the same with the balance now on hand:

BALANCE SHEET, JANUARY 1st, 1850.

LEDGER FOLIO.	Dr.		Cr.	
1	Jackson and Brandon R. R. Bridge Comp.	$7,416 41		
2	Two Per Cent. Fund			$201,180 48
3	Negro Account	51,956 60		
4	Engineering expenses	5,786 91		
6	Stock Account	3,581 32		
7	Negro expenses	13,469 35		
8	Right of Way	762 50		
9	Pearl River Bridge	5,392 33		
11	Office expenses	517 45		
12	Superstructure	18,928 34		
13	Railroad Iron	61,699 71		
14	Brick-yard Account	60 00		
15	Earth Work Account	594 85		
16	Culverts	2,328 52		
17	Laying Track	1,830 35		
18	Jackson Depot	3,320 65		
19	Freight Account	12 29		
20	Repairs to Road	24 30		
21	Exchange Account			$6,114 50
22	Real Estate	63 00		

BALANCE SHEET, JANUARY, 1st, 1850.—Continued,

LEDGER FOLIO.	Dr.		Cr.
23	Locomotives and Cars	21,732 02	
24	Expense Account	1,993 67	
25	Temporary Depot at Brandon	151 31	
26	B. G. Weir and James E. Watts	4,679 05	
27	Brandon Depot	210 00	
28	Trestle Work	625 21	
29	Water Stations	64 45	
30	Brandon Bridge	10 50	
31	Balance to Debit of Cash	483 95	
		$207,295 04	$207,295 04

To the balance of cash is to be added 8 per cent. premium on $11,350 United States Treasury Notes, $908, as this day settled by us with Wm. Morris, Esq., on return of sales from New York, and also 8 per cent. premium on $4,700, United States Treasury Notes this day sold to him at that rate, $376; and making total premium in addition to exchange account, of $1,284, and the total premium received to this date, $7,398 50; and the balance of cash on hand, $1,767 95.

D. O. WILLIAMS, *President.*
W. C. HARPER, *Secretary.*

January 4th, 1850,

Under the head of negro account, is included alone the amounts expended in the purchase of eighty-four slaves, under the provisions of the 5th section of the act of 1848; and under the head of negro expense, is included all expenditures made on account of the slaves, for clothing, maintenance, superintendance, tools, and materials necessary for their employment; and also the expenses of all stock connected with their operations, the estimated value of which operations, when completed, to be placed to credit of negro expense account. This will satisfactorily account for the apparently large amount included under that head of expenditure.

In April, 1848, Messrs. B. G. Weir, as chairman, and James E. Watts, as associate, were appointed a committee of the Board, for the purchase of slaves, under the 5th section of the act of 1848, and the sum of $70,000 appropriated for that purpose, out of the two per cent. fund in the State Treasury. Of this amount, the sum of $42,000 only was drawn by Messrs. Weir and Watts, from the State Treasury; and the sum of $18,089 69 was received by B. G. Weir, in Washington City, on account of the balance due the State, for the two and three per cent funds, under the resolutions of the Board of Commissioners, at a called meeting, on the 20th of April, 1848, and the order of your Excellency, in accordance therewith, for that purpose,

Of the amount drawn at Washington City, the sum of $5,039 83, belonged to the two per cent. fund, and $13,049 86 to the three per cent. fund; and which last amount has been paid to the three per cent. fund, out of the two per cent. fund in the State Treasury. The total amount received by Messrs. Weir and Watts, as above stated, was $60,089 69, to which they have added the sum of $685 12, premium on United States Treasury Notes, making in all the sum of $60,774 81.

By a resolution of instructions to Messrs. Weir and Watts, they were required, among other things, to "make monthly reports to the Secretary of the Board, of their progress and prospects in the purchase of slaves, and to require similar reports from their assistants." And as soon as the purchases were completed, they were required to make a detailed report of their proceedings, jointly and severally showing the number, names, ages, and costs of the slaves and the expenses incurred by them and their assistants, in buying, supporting, and conveying them to Brandon, in this State. This commission, for the purchase of slaves, was closed by order of the Board of Commissioners, on the 26th of July, 1848, and Mr. Watts returned home in the month of September following, and B. G. Weir was directed to remain at the North for the purpose of making a contract for the purchase of railroad iron. He returned home about the first of November, 1848, and was then called upon for a report of their proceedings, under the commission for the purchase of slaves; he having, as chairman of the committee, retained in his hands, all the books, papers, and ac-

counts in connection therewith. He promised to make a report, and to render his account at the next meeting of the Board, in December. At that meeting he failed to attend, and shortly after left the State, and remained absent until in February, 1849. In the mean time, all efforts to obtain a settlement of his accounts proved unavailing.

There were no means of coercing a settlement of this account, as all the books, papers, vouchers, (except the bills of sale for the negroes,) were never delivered to the Board of Commiasioners, until presented in connection with an account rendered by him in behalf of himself and Mr. Watts, to a meeting of the Board, on the 7th of May last.

B. G. Weir left the State on the 30th of March last, and had not returned at the date of the last report, to-wit., on the 15th of June last. This account, as furnished by him, is on its face, manifestly incorrect, and in some of the principal items, for the purchase of slaves, inconsistent with the vouchers upon which it purports to be based.

The following summary of an examination and re-statement of this account, made by order of the Board, and by them received and agreed to on the 11th of June last, will exhibit to your Excellency, the disposition of the above amount of $60,774 81, as made by Messrs. Weir and Watts:

1848.					
April 20th, Cash received from the Treasurer of the State of Mississippi,.....	$42,000	00	Cost of 82 slaves, as per bills of sale,....	$46,097	50
May 11th, Cash rec'd of Treas. U. S., on account of the two three per cent. fnnds,.....	18,089	69	Cost of clothing and outfit for 82 negroes, expenses of agents,—transportation from Richmond, Va., to Brandon, exclusive of wagons and horses, as credited below,.	2,926	47
August, Received of Messrs. Corcoran & Riggs, premium on U. S. Treasury Notes,..	685	12	Value of a negro man James Allison conditionally delivered by G. B. Weir to the Board, in January, 1849,.....	700	00
			Value of negro man Geo. Poindexter delivered by B. G. Weir, as above,.....	400	00
			B. G. Weir's expense account,.....	797	50
			James E. Watts' expense account,.....	282	30
					51,203 77
			Cost of thirteen horses,.....	1,341	25
			Cost of one wagon and harness,.....	166	50
			Cost of one carryall, or Jersey wagon,...	120	00
			Cost of one wagon and harness and traveling equipage,.....	223	50
			Am't cash rec'd, returned by W. H. Batt,	285	08
			Do. do. by Rob't Maxy,	401	08
			Do. do. by B. G. Weir,	1,024	18
			Do. do. by J. E. Watts,	330	00
			Balance due by Weir and Watts, inclusive as compensation as agents,.....	5,679	45
	$60,774	81			$60,774 81

From the foregoing, it appears that Benjamin G. Weir and James E. Watts were in arrears, at the date of last report, in the sum of $5,679 45, on account of the amount received by them for the purchase of slaves; and the Board of Commissioners instructed the Secretary to report the fact to your Excellency, which was accordingly done. He was also instructed to inform you, in justice to James E. Watts, that it appeared from the memorandum of a settlement between Messrs. Weir and Watts, returned by B. G. Weir with the account furnished, and other vouchers endorsed in the hand-writing of B. G. Weir—"Weir and Watts' settlement and vouchers, March, 1849,"—that there remained in the hands of James E. Watts, the sum of $1,330 40, of which Mr. Watts had paid over previous to former report, the sum of $330, leaving, according to this memorandum of settlement, only the sum of $1,000 40 in his hands, subjected to a deduction for his claim for services as agent for five months.

B. G. Weir remained absent from the State until about the 25th November last, and every exertion within the power of the Board, to obtain a settlement of the balance due on his account, has been made, before and since his return, but have hitherto proved unsuccessful; and the fact is again reported to your Excellency, for such executive action as you may deem proper.

No further settlement between Messrs. Weir and Watts, than the memorandum above referred to, has ever been reported to the Board, or any further explanation thereof made, and it being a matter exclusively to be settled between them, no action of the Board, in reference thereto has been had.

Since the date of the report of the 16th of June, 1849, James E. Watts has paid over the sum of $600 40, being in full of the balance then declared against him, agreeably to the memorandum of settlement between him and B. G. Weir, after deducting the sum of $400, which was allowed him as compensation for his services as agent for five months.

Three of the negroes purchased, have proved diseased and worthless, and one of them died about one month after his arrival, evidently from the effect of chronic disease; but the board expect to recover their value on the warranty of the vendors, who are believed to be solvent, and suits are now being prosecuted against them for that purpose. One has been killed whilst runaway, by a citizen of Rankin county, acting, as he supposed, in necessary self defence; and in view of all the circumstances of the case, it was not deemed advisable to attempt the recovery of his value. Six more of the negroes are considered unsuitable for the service of the road.

Very little trouble or difficulty, has occurred in their management, and much less than was apprehended; and under the excellent treatment of the general superintendent, S. J. Denson, they have suffered very little from acclimation, and have remained unu-

sually healthy. No accident has occurred to any of them, in the operations of the road, which, it is believed, will materially injure their value; and there has been a very decided improvement in their value and condition since their arrival and location on the road.

In July, 1848, a contract for the purchase of three miles of Railroad iron from the Vicksburg and Jackson Railroad, of the same quality and pattern of that in use on that road, was made at the sum of sixty dollars per ton, delivered in Jackson; of this amount, only a quantity sufficient to lay about 2⅜ miles, was delivered.

On the 23d of September, 1848, a contract for 755 tons of Railroad iron, estimated for twelve miles of very nearly the same size and pattern, with the requisite number of cast iron chains, splicing plates and spikes was closed by Benjamin G. Weir, as agent of the board, with Messrs. A. & G. Ralston, & Co., of Philadelphia, to be shipped from England or Wales; of this amount, about 341 tons of rails, with the fastenings, were received, the remainder as per invoice, 415 tons having been lost by shipwreck in January last; of which, we received intelligence early in March last. No pecuniary loss has, or can result, from the loss of this cargo, as it was fully insured by our agents on their own account; and only to be paid for on its arrival in New Orleans. The only inconvenience resulting, has been an unavoidable delay in placing any part of the road in operation. The iron and fastenings received, have proved highly satisfactory being well made and of good materials. The cost of this Railroad iron, including prime cost, insurance, duty, freight, agency, &c., when delivered in Jackson, was about $60 per ton.

To supply this loss by shipwreck, a contract was closed on 2nd April last, for the purchase of 500 tons of Railroad iron, with Messrs. Stark, Day, Stauffer, & Co., of New Orleans, of the same size, quality and pattern of that received from Messrs. A. & G. Ralston, & Co., with the requisite number of cast iron chains, plates and spikes, which, with the amount previously purchased and received, willl make about 15½ miles. Under the terms of this contract, an advance of $20,000 was made in cash, to be invested in sterling exchange, and which was done at the very favorable average rate of 6 6-10 per cent. premium, being a saving of 2 4-10 per cent. assuming 9 per cent., besides securing a more favorable price by ready cash purchase. This iron was placed under contract on 12th of May last, at the then favorable price of £5 17s. 6d. which, at 6 6-10 per cent., sterling exchange, would equal $27 83 per ton, and it was expected that we would have received it by 15th of August, or at 1st September last, in Vicksburg; but owing to the prevalence of the cholera, in England and the very limited demand for shipping at New Orleans, on account in the unusual lateness of the cotton season, an unexpected delay of the shipment of the iron from Newport, in Wales occurred, and the

vessel chartered for that purpose was not cleared until the 14th of September last. A period later than under ordinary circumstances, the iron should have been received in Vicksburg. The prices at which this cargo of iron has been purchased and delivered per ton, has fully corresponded with our most favorable expectations.

The total cost per ton, (of 2240 lbs,) delivered under this contract upon the line of the road, where it is required to be laid down, is as follows:

Prime cost, £5. 17s. 6d. at 6-10 per cent. sterling exchange	$27 83
Inspection in England, 1s. per ton	24
Freight, £1 primage, 5 per cent. at $4 80 per £1	5 04
Insurance 2 per cent. on $29 90-100	59
Duty 30 per cent. on $29 13-100, Custom house value	8 70
Three per cent commission on 42 40-100 to Stark, Day, Stauffer & Co., being total cost on shipboard in New Orleans	1 26
Transportation from New Orleans to the Depot in Vicksburg	6 00
River insurance on $50, ½ per cent	25
Freight from Vicksburg to point required on road, being one-half the ordinary rate of tolls	3 91
	$53 82

Total cost of 1 ton of iron rails delivered on the road, at the point to be laid down, being a saving of more than 10 per cent. on former contract.

This cargo of iron only arrived in New Orleans, on the 7th of November last, from delays before mentioned, and has been laid down on the road as fast as it could be delivered from the Depot in Vicksburg.

The former bridge over Pearl river, was found on examination, to be wholly unsafe and insufficient, and it was removed and a new one erected in its place, at a cost of $5392 33-100, which has proved entirely satisfactory, and is in plan and construction, believed to be entirely safe, permanent and reliable. The balance due upon the contract for the erection of the former bridge had been withheld from the contractor by the Commissioners of the Jackson and Brandon Railroad and Bridge Company, and the matters in controversy between them had been submitted to arbitration upon which an award was made in favor of the contractor, and the present board were compelled to pay the sum of $1049 79-100 in satisfaction of the award.

A suitable and convenient depot, 30 by 100 feet has been erected at Jackson, at an entire cost of $1642 84-100 exclusive of the turn table, side track &c., which are charged to Jackson depot account.

A small portion of the road had been previously laid with flat bar iron, which being considered unsafe and objectionable in many respects, it was taken up and the present rail adopted. We have

now on hand about 115 tons of this flat bar iron, for which, under the contract between the Jackson and Brandon Railroad and Bridge Company and S. B. Newman, Receiver in Chancery, in the case of the State of Mississippi, vs. Mississippi Railroad Company, we were compelled to pay the sum of $5218 29-100 which constitutes the principle item charged against said company. This iron is now offered for sale and is not included in stock account, and when sold, the proceeds will be properly entered as a credit to the account of the Jackson and Brandon Railroad and Bridge Company.

The following plan of construction of the road has been adopted: Transverse mud sills, 7 feet in length, of post-oak or white oak, and hewed to a thickness of 8 inches on the opposite sides, and facing at least 10 inches at the smaller end, are laid in the ground at distances of 9 feet at right angles to the line of the road. Upon these longitudinal mud sills 18 feet in length, also hewed to a thickness of 8 inches and facing at least 10 inches at the smaller end, are laid parallel with the centre line of the road on each side, so as to joint directly on the transverse sills; upon these are laid transversely at a distance of 3 feet a part, sawed white-oak cross-ties 7 feet in length and 4 inches thick, except the one in the centre of the rail, which is used for the reception of the cast iron chains. A cast iron chain 1 inch thick and weighing 9¼ lbs. is placed in the centre cross tie and is made to fasten securely in a notch 1 inch square, cut out of the lower web on each side of the centre of the rail; upon this is placed a T. rail weighing 40 lbs. to the yard, and securely fastened by 16 wrought iron spikes, 4 being used in each chain and four in each splicing plate at the junction of the rails, and 2 in each remaining cross-tie. The following approximate estimate, furnished by C. W. Bancks, esq., will exhibit more specifically the cost of constructing 1 mile of track, according to the above plan:

Estimated expense of one mile of Railway track exclusive of grading.

586 hewn oak foundation sills 8 by 12 inches, 18 feet long, at 1 15		$673 90
586 hewn oak foundation sills 7 feet long, at 45c		263 70
1172 sawed oak cross ties 4 by 6 inches, 7 feet long	16,408 ft.	
293 sawed oak cross ties 4 by 8 inches, 7 feet long	5,169 ft.	
293 sawed oak cross ties 3 by 8 inches, 7 feet long	4,102 ft.	
Board measure at $17 50	25,979 ft.	—454 63
586 cast iron chains, weighing 9¼ lbs; each 5,420½ lbs. at 5c		271 02
586 wrought splicing plates weighing 2¼ lbs. each, 1,318½ lbs. at 10c		131 85

586 bars railway iron, weighing 64½ tons, at $60 per ton,	$3,870 00
9376 wrought iron spikes weighing 10 oz. each, 5,860 lbs., at 10c.	586 00
Transporting materials	75 00
Laying 1 mile foundation sides	460 00
Laying 1 mile cross ties and iron track	280 00
	$7,086 10

The foregoing approximate estimate has been found by experience to be in some respects too low, and in others too high—depending, however, so far as the timber for superstructure is concerned, on the distance transported, and the supply of the proper kinds; but which, owing to the scarcity, and the distance to be hauled, has, for much the greater quantity used on the road, cost at least 20 per cent. above the estimate—it being necessary to haul a large portion of it more than two miles; whilst for the cost of plate and spikes a deduction of at least four cents per pound would be proper, and for laying superstructure, $40 per mile. A track constructed with such materials, on the above plan, by which all the timbers used can be covered with earth, it is believed will last for fifteen years, and can be kept in repair at a trifling expense, until it becomes necessary to renew it.

To those who may object to the supposed extravagance of the original construction, we have only to say, that true economy consists in doing thoroughly, at first, whatever it may be necessary to do in the end. To every practical mind it is evident that repairs and alterations cost more than double the additional cost of proper construction in the first instance. Such has invariably been the experience in regard to the construction of cheap railroads throughout the United States, though they generally cost nearly as much as good ones; and we are entirely willing to abide the result to prove the correctness of our conclusions. The grading has been completed for the distance of 14 1-6 miles, and the wooden superstructure laid for a distance of 13½ miles, the necessary culverts put in, and 796 lineal feet of trestle work erected. The iron rails have been laid down for about 10½ miles, and are now being laid as fast as they can be delivered on the line of the road, being at the rate of about one mile per week. The plan upon which the road has been thus far constructed, under the direction of the former chief engineer, the Board believe far more expensive, both in original construction, as well as more expensive to keep in repair, than the construction simply by ballasting and cross-timbers of sufficient size, without the use of the ordinary mud-sills and cross-ties; which latter plan the Board have determined to adopt.

We expect to have completed and in operation, in about three weeks, 13½ miles of road, approaching a point within three-quarters of a mile of Brandon, where a convenient temporary depot has

been erected. As soon as this portion of the road is completed, the whole of the negro force will be employed on the line beyond, except such portion as may be required in necessary repairs of the road in operation, or hired for depot service. The slaves owned by the road have been chiefly employed in making excavations and embankments on the line of the road west of Brandon, and in furnishing timber for the superstructure, and laying it down, and in erecting the necessary trestle work on that portion of the line.

A brief recapitulation of the disposition of the funds received may be made.

Received from 2 per cent. in State treasury.....		$201,180 48
Premium on U. S. Treasury Notes.....		6,114 50
		$207,294 98
Deduct amount paid on account of Jackson & Brandon Railroad and Bridge Company.....$7,016 41		
Amount in hands of B. G. Weir.....	4,679 05	
Amount of cost of negroes, horses, carts, engine and cars, as per statement "B,"	78,883 87	
		90 529 33
Leaving the sum of.....		$116,765 65

Which may be considered the amount actually expended in the construction of 13½ miles of road, (leaving a surplus of two miles of railroad iron,) being at the rate of $8,649 30 per mile, including all expenditures for graduation, superstructure, bringing railroad iron, and the erection of the depots at Jackson and Brandon, &c.; which is a much larger amount than it should have cost, under the direction of an experienced and qualified engineer. Upon the organization of the Board they employed C. W. Bancks as chief engineer, who came well recommended. They entrusted him with the direction of the road, and such other matters as are usually entrusted to a chief engineer, and gave to him their full confidence, until repeated failures to do his duty, extravagant and wasteful contracts, and an unwarrantable indifference in carrying out the orders of the Board, and total inattention to a proper superintendence of the work under his charge, determined the Board to dispense with his services, and his resignation was accepted on the 3d day of September last.

The chief obstacle on the line of the road between Jackson and Brandon, is the hill upon which Brandon is situated—the cut being, at the summit, 44¼ feet, and the extreme length of the cut being 19½ chains; and the total elevation to be overcome, by means of excavation and embankment and grade, being 152 feet, in 1¼ miles. The cut is about half finished, and is expected to be fully completed in about four months. The operations by the negroes have been greatly retarded by the extreme incelemency of the

weather from the 1st of November, 1848, until about 1st September, 1849.

A twelve ton locomotive, of the best quality and construction, and combining the latest improvements, has been purchased at a prime cost, exclusive of freight, insurance, &c., of $6,930, and has now been put in running order. By a mistake in the construction of the width, it was necessary to procure a new set of wheels, but which were furnished by the contractor without any loss to us. 1 first class 8-wheel passenger car; 1 negro or baggage car; 1 hand car; 8 freight box 8-wheel cars, and 4 freight stake cars, have been purchased, which, together with the engine, and all expenses of freight, insurance, &c., have cost the aggregate sum of $21,732 02. All the cars purchased are of the best quality and construction; but, in the opinion of the Board, the cost was entirely too much for the present service of the road. A resolution was passed on the 10th day of November, 1848, vesting the engineer with full power to purchase suitable passenger and burden cars for the road. He unwisely purchased more burden cars than were needed, and made a most extravagant and injudicious outlay for passenger cars.

A contract has been entered into with the Vicksburg and Jackson Railroad, to run the Southern Railroad for a period of twelve months from the time it is completed, to the temporary depot near Brandon—they to have the use of the cars and engine, as above specified, to be returned in good order, ordinary wear and tear excepted, at the termination of the agreement; and the earnings of the road to be equally divided between the parties, and paid over monthly to the Secretary of the Board.

Statement marked "B" exhibits the amount and cost of stock now on hand, including negroes, horses, wagons, carts, &c., and also locomotives, cars, and the total cost of the same.

The total amount of premium received on the United States Treasury Notes is $6,114 50, as appears in exchange account, and $1,284, as appears in note to balance sheet, 4th January, 1850; of which the sum of $685 12 was received by Messrs. Weir & Watts, in Washington City, as above stated, and $3,309 98 received by the Secretary in New Orleans, by sale of $32,250, at 6¾ per cent. premium, and $12,950 at 8¾ per cent. premium, being a portion of the amount appropriated for the purchase of railroad iron. The remainder has been realized, at different times, and at various rates of premium, by sales made to or by the agency of William Morris, Esq., of Jackson, and which was the highest that could be realized, without incurring the risk of transmission by mail, and expense and risk of agencies abroad. The last sale was closed on 4th January, inst., before this report was handed over—as will appear by note at the foot of the balance sheet—at 8 per cent. premium.

In concluding our report, we cannot forbear calling the atten-

tion of your excellency to the necessity of such measures as will insure the completion of the road, at an early day, to the Alabama line, through which State it will doubtless be continued to Montgomery, thus uniting the Mississippi river, at Vicksburg, with the Atlantic seaports, and forming an uninterrupted line of railroad communication to the eastern boundary of our Union. Omitting all patriotic and national considerations, such as the rapid transportation of the mail and troops, or the reasons which, in the present aspect of our political affairs, render a rapid communication between States bound together by peculiar domestic institutions, of great, if not vital importance, and placing the question purely on the ground of pecuniary interest, there are abundant reasons why this road should be speedily built, and every constitutional and proper aid afforded by the State. From unquestionable authority we learn that, in our own State, the value of real estate, in counties using railroad facilities, rose 1170 per cent.; the number of slaves 378 per cent., and the amount of *State tax* 358 per cent.; while in four counties not using the railroad, the value of real eslate rose only 129 per cent., the number of slaves 29 per cent., and the amount of State tax 52 per cent. Other evidences of the influence of railroads on the wealth and business of the country can be furnished, but, as measures are believed to be in progress, in other quarters, to present these facts to the legislature, they are omitted here. The line of the proposed railroad is highly favorable, the distance less than one hundred miles, and, from former surveys, and the best calculations that can be made, the estimates vary from $10,800 per mile to $12,200 per mile, making the total cost of th eroad to the Alabama line from $1,080,000 to $1,200,000.

Assurances have been given by some of the most intelligent and influential representatives of the State, of their exertions to appropriate to this work at least 100,000 acres of the State lands, worth about $300,000; and it is confidently believed that Congress will at its present session, donate alternate sections of the public lands on the route, worth, probably, half a million of dollars. Some plan devised by which the present force on the road can be employed until said lands can be made available, will insure the completion of this great work.

Any additional information desired by your excellency, in relation to the affairs of the road, will be at all times promptly given; and an examination of the books, accounts, vouchers, and all proceedings of the Board by your excellency, or any citizen of the State, is respectfully invited.

By order of the Board:

D. O. WILLIAMS, *President.*

W. C. HARPER, *Secretary.*

[STATEMENT B.]

INVENTORY OF STOCK BELONGING TO THE SOUTHERN RAILROAD JANUARY 1, 1850.

To 82 negroes, consisting of 64 men and 18 women, (and 1 child, since born,)..	$51,955 60	
To 14 head of horses, (3 having died,) cost.....	1,636 25	
To 4 large wagons.....	613 00	
To 8 yoke of oxen.....	300 00	
To 50 wheelbarrows, at $4 00, (principally made at blacksmith shops of the road).....	200 00	
To 1 carry log.....	55 00	
To 13 horse carts and harness *a* $33 05 each, (4 of above made at blacksmith shops).....	429 00	
To 36 pick axes, made at shops.....	45 00	
To Engineering Instruments.....	367 50	
		$55,601 85
The above includes the total value of negroes and stock connected with these operations, except tools of all descriptions necessary for the employment of one hundred hands, estimated at.....	.....	1,500 00
Locomotives and Cars, to wit:		
1 locomotive and tenders complete,....		
1 hand car..... "		
1 8-wheel first class passenger car.....		
1 negro, or baggage..... "		
8 freight, box and wheel cars,.....		
4 .. " .. stake..... "	Total cost..	21,732 02
Amounting, in the aggregate, to the sum of	.....	$78,833 87

But not including the number and value of tools, of all descriptions, for 100 hands, which cannot be conveniently enumerated in this statement.

REPORT OF THE TRUSTEES OF THE UNIVERSITY OF MISSISSIPPI.

To the Legislature of the State of Mississippi:

In accordance with the law, which requires the Trustees of the University of this State, "to report to each regular session of your honorable body, a detailed statement of the fiscal condition of the University, and the manner and purposes for which they have expended its funds," the undersigned beg leave to make the following

REPORT.

Up to the 31st December, 1849, the Trustees have drawn from the State Treasury the sum of $50,000, as authorized by the act of 1846; and the farther sum of $15,701 2½, the amount of the accruing interest on the university fund, in the State Treasury, together with the standing semi-annual appropriation of $3,113 37½, down to the 1st July, 1849, as authorized by the act of 1848, making an aggregate of $65,701 2½. This sum has been expended in the following manner: The Board proceeded, with the assistance of a competent architect, Capt. Wm. Nicholl, immediately after the appropriation for the erection of buildings was made, in 1846, to carry the law into effect. They have erected the principal building, sixty by ninety feet, three stories high, of brick, with a portico in front, resting on six columns, of the Corinthian order, finished in a plain, neat and substantial manner. It contains spacious and airy halls, and nine large rooms, well adapted to college purposes.

They have also built two dormitories, three stories high, each containing thirty-six rooms, of capacity to accomodate two students, making one hundred and forty-four in all. They have also erected four houses for professors, so united, however, by double walls, as to constitute but two buildings. Each building contains twelve rooms, with the requisite out-houses attached.

They stand upon a simi-circular area, occupy a space of several

acres, in a grove of lofty forest trees, and present a beautiful and imposing front, as they are approached from the east.

In the rear of the main building, some fifty steps, there is a capacious steward's hall, fitted up for the accommodation of the students. The houses and gardens of the professors, and the hall of the steward have been handsomely enclosed. The buildings are all of brick, of unpretending exterior, but of neat, substantial, and durable structure. These, with the necessary wells for water, some incidental repairs, and bills for printing various advertisements, have cost the sum of $53,345 03, all of which has been paid. The whole constitutes, in my mind, a just monument to the liberality which founded them, to the good taste of the architect who executed them, and to the prudent, judicious, and economical expenditure of public money, by the executive committee, upon whom mainly devolved the duty of their superintendence.

The farther sum of $9,508 07, has been expended in the salaries of professors, of the architect, treasurer of the Board of Trustees, and expenses of transporting funds from Jackson. The expenses, also, of most of the members of the Board of Trustees, have been paid, at the rate of two dollars per day for every twenty miles travel, and at the same rate whilst in attendance upon the Board. When all this is deducted, it leaves a balance on hand of $2,847 92½.

The buildings were completed in October, 1848, and the institution went into operation on the 1st Monday in November, 1848. The faculty consists of a president, with a salary of $2,000 per annum, who is also professor of mental and moral philosophy, rhetoric, logic, and political economy; of a professor of mathematics and astronomy; of a professor of chemistry, natural philosophy, and geology; and a professor of ancient and modern languages. Each of the professors receive a salary of $1,500 per annum. The students pay thirty dollars per session of ten months, as a tuition fee, which also goes to the professors; but by a resolution of the Board of Trustees, each senatorial district in the State is entitled to send one student, without any charge for tuition.

The salaries of the professors are paid semi-annually, in January and July. A purchase of books has been made in one of the eastern cities, to the amount of $500, as the commencement of a library; also, from the trustees of the State library, of the judicial reports and code of the State, to the amount of ninety dollars, which are as much as our limited finances would allow. The books have been received; but those from the East have not been paid for, on account of the difficulty of procuring exchange; those from the State have not been paid for, because of a reason, which it is hoped, will readily suggest itself to your honorable body. This constitutes the only outstanding liability of the fund.

The annual income of the institution is $10,949 09, and arises from the interest on the Seminary Fund in the State treasury, and the semi-annual appropriation made by the act of 1848. Out of this amount various incidental expenses for repairs, farther improvements, and other contingencies, besides the salaries of the professors, have to be paid. When all these are deducted, not more than $2,500 will probably remain per annum. This constitutes the only fund under our control for the purchase of a library, and the varied apparatus necessary to the successful conduct of a literary and scientific institution of a high order.

It gives us great pleasure to state that, owing to the vigilance and integrity of our treasurer, we do not believe a single cent of the fund has been lost or misapplied. It may be proper to add that the instalment due on the 1st of the present month is not included in this report.

The Faculty of the University is believed to possess a very elevated degree of merit. In scholastic attainments, in experience as professors, in moral and intellectual worth, they stand in the front rank of their profession. At the close of the last session the students evinced a very high degree of proficiency in their various studies, and their examination called forth from the trustees then present a testimonial, which was placed upon their records, to the learning and fidelity of the professors, and to the diligence of the students. There are now sixty-five students, and we have received from the President the most gratifying assurances of their correct moral deportment, of their studious habits, progress in study, and general good conduct.

In conclusion permit us, with all earnestness and sincerity, to recommend this institution, endowed by the munificence of the general government, and placed under your guardianship and supervision, to your most favorable consideration.

ALEX. M. CLAYTON, *Pres't Trustees.*
W. L. SHARKEY,
C. P. SMITH,
E. C. WILKINSON,
GEORGE H. YOUNG,
JAMES BROWN,
J. ALEXANDER VENTRESS.

REPORT THE TRUSTEES OF THE INSTITUTION FOR THE BLIND.

To the Honorable Senate and House of Representatives of the Legislature of the State of Mississippi:

The undersigned, trustees of the "Chapin Institute," established for the instruction of the Blind, respectfully submit to your honorable body, the following report, containing a brief statement of their official acts, and the present condition of the institution:

Under the provisions of the act of incorporation, the trustees were clothed with authority to purchase or erect suitable buildings for the institution, and do all other acts necessary to put it into successful operation. The funds appropriated proved too limited to answer the benevolent design of the Legislature, or to render the enterprise commensurate with the wants of that unfortunate class of our population, whose moral and intellectual welfare demands the enlightened consideration of the government.

The sum of two thousand and five hundred dollars was appropriated for the year 1848. The difficulty of organizing such an institution, with so small an appropriation, became apparent. Suitable buildings were to be provided, and competent teachers employed. The Rev. James Champlain, through whose active instrumentality the claims of the Blind were presented to the favorable consideration of the Legislature, had bargained for a lot of ground, containing about two acres, and situated in a pleasant but retired part of the city. The buildings were suitable and convenient. The sum appropriated for the year 1848, we were advised, was intended to cover the price of said lot; and the trustees, believing that the terms of purchase were fair and reasonable, deemed it their duty to confirm the bargain, which they did. We have not been able to pay all of the purchase money, and defray the necessary expenses of the establishment. There is a balance of nine hundred dollars still due, and we would beg leave to recommend an appropriation to pay it.

We are well satisfied that the annual appropriation is too small an endowment to meet the expectations of the public, or to provide for the education of the Blind in our State. We have been compelled, reluctantly, to exclude many applicants from the benefits of the institution. The number of charity pupils have been necessarily limited, although there are large numbers of Blind persons

within our borders, who are, doubtless, in a state of moral and intellectual darkness.

We refer your honorable body to the accompanying reports of the Treasurer and Principal of the Institute. The report of the Treasurer exhibits the financial condition of the institution, or an exact statement of the moneys received and disbursed. The report of the Principal, the Rev. Philip Lane, challenges your particular attention. It embodies much valuable information, and, emanating from one who received his instruction in a similar institution, it evinces a capacity benignly developed by the process of a peculiar education. His report contains an eloquent appeal to the liberality of the public, and we doubt not that it will meet a generous response in the acts of your honorable body.

We would most respectfully urge that the institution should be liberally endowed, to enable the trustees to place it upon a permanent basis. Females have, hitherto, been excluded from the benefits of the institution, and must continue to be excluded, unless we can employ a matron to superintend them. The present fund is altogether insufficient, and we therefore ask an appropriation which will be ample to carry out the benevolent enterprise into which the State has embarked.

We deem it important, if an appropriation is made, that the Legislature should authorize the trustees to draw on the treasury at the beginning of every quarter, in order that they may more readily meet and provide for contingencies.

CHAS. SCOTT, } *Trustees.*
GEO. FEARN, }

TO THE TRUSTEES OF THE MISSISSIPPI INSTITUTION FOR THE INSTRUCTION OF THE BLIND.

Gentlemen:—In conformity to the custom observed in all similar establishments, it becomes my duty to report to you the condition, past and present, of this institution. From the first moment of its existence, until this, it has been *silently*, but *certainly*, working out good.

Under the existing law, the school opened with two pupils, on the 3d day of April, 1848. For three months its affairs were conducted by Mr. Champlain, to whose zealous exertions it is mainly indebted for its existence. On July 1st, Mr. Champlain suspended the operation of the institution, and left the State; and in the succeeding September, he resigned his situation as Principal of the institution. By an act of your Board, on the 1st of October, 1848, I was appointed to fill the vacancy thus occasioned; and, in the early part of November following, the school was reopened, with two pupils. Within two months after, the number was increased

to five. This number has not been allowed to augment. Several applications have been rejected, and females excluded, in consequence of the limited means of the institution.

By an act of your Board, the sum of forty dollars was fixed as the maximum appropriation to defray the current monthly expenses of the institution. This sum, meagre as it is, has, by the most rigid economy, been made fully to meet the monthly demands. Nothing like luxury has been permitted, and most comforts have been dispensed with. The house furniture is plain, to a fault, and the *table* has been furnished with nothing but articles of prime necessity. I have drawn all the monthly appropriations from July 1st, 1848, to January 1st, 1850. The whole amount of money that I have received for current expenses has been six hundred and sixty-three dollars, and the whole amount paid out, six hundred and fifty-four dollars and forty cents—leaving the sum of eight dollars and sixty cents in possession, subject to your order.

From the reopening of the school, until this moment, it has been in regular, constant operation. The pupils have been taught reading, geography, grammar and arithmetic, in all of which they have made a degree of progress highly creditable to themselves and greatly encouraging to their friends. During the past year, the advancement of the pupils has been greatly retarded for want of necessary books. To supply this deficiency, much of the instruction has been oral; and if, upon examination, it should be found that the progress of the pupils has not been as great as the public had a right to expect, the defect must be attributed to the absence of the necessary school apparatus, rather than the want of capacity in the pupils themselves, or to any fault in method of instruction.

As the mode of instructing the blind is far from being generally understood, I shall here briefly explain it.

Some one of the ancient philosophers was wont to describe man as an animal, having two hands—believing that his superiority over the brute was mainly attributable to this circumstance. Although I am not disposed to adopt the definition of the philosopher, yet it must be acknowledged that to the Blind, especially, the hand is of incalculable advantage. With them the hand performs the most important offices. The eye is, as it were, transferred to the ends of the fingers; and the books employed in their instruction must be adapted to this kind of light. To this end, a method of embossing has been introduced; the letters being stamped on one side, stand out in relief on the other. In this way, books, maps, and mathematical figures are prepared, and the ideas they are designed to convey are as readily transmitted to the mind of the blind, through the sense of touch, as to those of the seeing, through the sense of sight.

Should the Legislature, at its next session, take any measures for the enlargement and continuance of this institution, several ad-

ditional necessary expenses must be incurred. A complete apparatus, to be employed in school instruction, should be purchased; such as books, slates, types, maps, globes, &c., &c. Females must be admitted, and a suitable person employed to discharge the duties of matron and governess. Several repairs will be needed, and the erection of a small additional building is indispensable. Should the existence of this institution be prolonged, I recommend that such mechanical branches as are usually taught in other and similar establishments, be introduced, at the earliest possible moment; such as the manufacture of willow baskets, mattrasses, mats, bead baskets, &c., &c. Although the erection of such a department, in this institution, would be somewhat expensive; and although, in the beginning, something must be allowed for the awkwardness of the workmen, and for the waste of material, yet I doubt not that, in a short time, the proceeds of the sales of manufactured articles would defray its expenses, and perhaps yield a surplus that might be applied to its *enlargement*, or to other purposes. But, whether this should be so or not, no institution for the Blind is complete without a manufacturing department.

Should this institution continue, I further recommend that music be introduced as a branch of instruction. To the cultivation of music the Blind are peculiarly adapted; the acuteness of the ear, and the power of the voice, being augmented by the loss of sight. This increase of strength in the auditory and vocal organs is, however, entirely attributable to increased exercise. Beside the great physical and moral benefit that would be conferred upon the pupils by furnishing them with mechanical and musical instruction, the knowledge they would thus acquire might, in after life, be made adjuvant to their own support. I further recommend that the salaries of the Principal, and others that may be employed, be fixed at such a sum as will render their situation comfortable and respectable. The miserable pittance that the Principal has hitherto received is scarcely equal to the compensation usually given to grocery clerks. This is a great fault, and a great injustice; for why should he whose business it is to enoble feeling, elevate thought, and shape aright the immortal mind, be less liberally rewarded than the man who works upon the perishable materials of wood and iron, or than he who sells food or raiment to supply the physical necessities of others? In order to accomplish what has been here recommended, the sum of five thousand dollars per annum will be required; and I respectfully suggest, that in the bill that may be presented to the Legislature, this amount be inserted as the minimum appropriation that ought to be made for the benefit of this institution.

In consequence of the small number of pupils that we have hitherto had, it may be supposed that the scheme in which we are engaged, is useless and impracticable; but a brief reference to the

original condition of all similar institutions will, I think, be sufficient to silence all objections and dissipate all doubt.

The institution for the blind, in New York, for three years, did not number more than ten pupils; that in Boston, for a similar period, did not contain more than eight; that in Ohio, for two years of its existence, contained but four pupils; in Kentucky, there were for some time but five, and, in Philadelphia, one. All these are now large and flourishing establishments. Thus, the argument of numbers, instead of against us, renders our chances for permanency and prosperity decidedly favorable.

As a brief account of the origin of institutions for the instruction of the Blind may be somewhat interesting to those unacquainted with the subject, I shall here insert an extract from an article which I recently published.

"The civilized world is indebted to a heathen country for the origin of institutions for the blind. The first establishment of this nature, of which we have any account, was in Japan. In this country, says the Father Charles Voix, academies were established at the public charge, in which the blind are taught, not only to cultivate their memories, but frame into verses what they have learned, and to adorn, with all the beauties of poetry and music, the finest points of history. To them is confided the charge of keeping the records of the most important events; such as the history of great men, the annals of the empire, ancient titles of families, &c. Their knowledge is handed down to posterity by a sort of tradition, the correctness of which is never disputed. They have their general and subordinate officers; enjoy a high degree of consideration; and are, perhaps, the only persons among this people whose lives are wholly devoted to literature. Verily, Christendom, with all its boasted civilization, in the great work of humane reform, is very far in the rear of heathen Japan. In 1774 public attention in Europe was directed to the instruction of the blind, by Valentine Hauy, brother of the celebrated Abbe Hauy. Through his exertions, an institution for the blind was established in Paris, and, within a short time after, similar institutions were erected in almost every country in Europe. In 1829 the attention of the people of the United States was directed to the subject of educating the blind, by a few benevolent gentlemen in the city of Boston. These men, in the same year, applied to the legislature of Massachusetts, in behalf of the blind; and that body, with an enlightened liberality, immediately appropriated the sum of six thousand dollars per annum. Since that time, there have been, including this, seven other institutions established in the United States, most of which are in a flourishing condition."

Such is the peculiar character of the misfortune of the blind, and so close is their confinement at their houses, or in alms-houses, that they are but rarely exposed to public gaze. Their number hitherto has, therefore, been supposed exceedingly small; but a

careful examination has shown it to be surprisingly great, there being scarcely a town or village without one or more of this unfortunate class.

In an address published some years since by the trustees of the New England Institution for the Blind, it was stated to have been ascertained that, in Middle Europe, there is one blind person to every seven hundred inhabitants; in Zurich, and some of the Austrian provinces, one to seven hundred and forty-five; farther north, between the 50th and 70th degrees of north latitude, they bear a smaller proportion—there being, in Denmark, Sweden and Norway, about one blind person to every one thousand inhabitants. In the United States, owing to a combination of countervailing causes, this calamity is more rare; yet the number of the blind is lamentably large—their proportion to the seeing being about one to two thousand inhabitants. The census of Mississippi, for 1840, reports but forty-six blind persons for this State. This is, unquestionably, an error; but similar inaccuracies are of frequent occurrence in all the States. To refer to but a single instance: The census of 1830 returned but forty-six blind persons for the city of New York; but, after more thorough examination, the number was found to be ninety—showing in the returns, an error of forty-four.

From this, and like data, I hesitate not to charge the last census of Mississippi with inaccuracy. The present white population of this State is probably three hundred and seventy-five thousand. Admitting the correctness of the above mentioned proportion, and deduct seventy-five thousand for transient inhabitants, we have one hundred and fifty as the number of blind now in this State. Surely, a number sufficient to command public attention!

But, whatever the number of the blind may here be, it is certain that that number is rapidly increasing; for congenital and accidental misfortune keeps pace with the numerical advance of the population. The *capacity* of the blind for receiving an intellectual and mechanical education, is in no degree inferior to that possessed by those who see; nor is their ability to practice what they may learn a whit less—there being, with the exception of painting and anatomy, no path in science, literature, or the arts, that has not been successfully trodden by them.

The notion concerning the incapacity of the blind, so current among those who see, proceeds from a narrow and groundless prejudice; and the chief difficulties which the blind have to encounter, arise not so much from want of sight, as from the discouraging treatment they receive from others. The blind child is told, by his relatives at home, and by all others with whom he may meet, that he cannot see, and, therefore, can do nothing. This is daily, and even hourly, repeated, until such a degree of discouragement is produced that the attempt to do anything is considered hopeless, and consequently never made.

Thus the unfortunate individual, as he advances in life, tortured by the humiliating idea of his own utter uselessness, becomes, beyond description, miserable; being made at once burdensome to others and intolerable to himself. But this knowledge of his own worthlessness, false and destructive as it is, is all that he can ever acquire in the school of popular ignorance and popular prejudice. Men often bewail the oppression exercised by European despots upon their subjects; but the oppression practiced, by the seeing upon the blind, is far more criminal in its character, and far more terrible in its consequences. In the former case, the individual is deprived of a few rights, and the physical man trammeled, while the mind is left comparatively free; but, in the latter, the physical and mental energies are crushed by the repeated and annihilating blows of a monstrous discouragement.

Society deprives the blind of *all* rights, and casts them, both body and soul, into outer darkness, where there is, indeed, "weeping, wailing, and gnashing of teeth."

To check this system of barbarous oppression, and to avert the dreadful consequences it may produce, are the objects which an institution for the blind proposes to accomplish. Through the instrumentality of such an establishment, a comparatively helpless and degraded class of beings may be elevated to usefulness and respectability, and placed where they have an indisputable right to be—on a level with their fellows.

In conclusion, permit me to say to you, gentlemen of the Board, that you, as trustees of this institution, are the guardians of its interests. Fidelity to the obligations you have thus assumed, requires that whatever influence you possess should be exerted for the extension and permanent security of those interests. Afflicted humanity implores that whatever power your social position may hold should be exercised for its relief. Christianity, advancing civilization, and all else that is elevating, demands that you should do something for the furtherance of this most generous reform.

Should this report meet the eye of any member of the legislature, I trust he will ponder well upon what has been said; and that in him may be awakened a generous sympathy for those who are from the cheerful ways of men cut off, and for the book of knowledge fair, presented with an universal blank of nature's works expunged and razed.

P. LANE.

DR. CHAPIN INSTITUTE, *In account with* GEORGE FEARN, *Treasurer.* CR.

1850.			1850.			
For amount paid on account of purchase of house and lot, (of William Morris) and interest	$1,787	56	By State appropriations 1848, 1849		$3,500	00
For amount paid for repairs and additions to same	82	72	By this sum, for premium on sovereigns		11	48
For amount paid for furniture, books, &c.	243	25	By this sum, received for individual donations	$470 75		
For amount paid current expenses of Institute	823	00	Less paid Mr. Champlain for collecting same	30 00	440	75
For amount paid salary of teachers	873	33			$3,952	23
For cash, balance in treasury	142	27	By balance in the treasury		$142	37
	$3,952	23				

JACKSON, MISS., *January* 9, 1850.

GEORGE FEARN, *Treasurer.*

REPORT OF THE VACCINE AGENT,

FOR THE YEARS 1848 *AND* 1849.

To His Excellency,
JOS. W. MATTHEWS, *Governor, &c.:*

SIR:—In conformity to law, I beg leave, herewith, to submit to you this, my second report, as Agent of the Vaccine Depot, established in this city by act of the Legislature, approved 16th February, 1846.

During the years 1848 and '49 there have been, at different periods, various cases of Small Pox, or Varioloid, introduced into the State, causing, for a time, much anxiety and alarm in the public mind.

In the months of January and February, 1848, in several of the counties bordering on the Mississippi and Yazoo rivers, small pox was introduced by steamboat travel, and, in some instances, before its nature was fully revealed, or the patients, insulated from the community, it was reproduced in some of our citizens. In the summer of 1848 one case occurred in this county, in a young man, recently from New Orleans; but, by strict care, I believe that the disease was not communicated to any of his attendants.

During the winter and spring of 1849, I have been advised by letters, from Natchez to Bolivar, on the Mississippi river, and on various points of the Yazoo river, of the existence of Small Pox. The disease also made its appearance in Kemper county, in May last.

From the foregoing facts, it may be truly inferred that the applications for vaccine matter have been numerous—so much so, indeed, that from 1st January last to 20th March, I could not fill all the orders sent me as promptly as wished; and, although I kept on hand, during the whole of this period, patients under the influence of the vaccine disease, from whom I was gathering the matter every few days, yet some of the applications were necessarily postponed for want of matter; and I find, by reference to my Register, that it was not till 24th of March that all applications were supplied. Since that period I have had an excess of matter over the supply of all applications.

I herewith exhibit the directions with which I accompanied the packages of matter distributed, and also the form of the circular letter, which the law requires the agent to send to each county in the State, semi-annually. This mode of giving information of the agency, and its duties, by addressing one or two, or a dozen letters, to private individuals in each county, once or twice a year, I have

found very inefficient; and I trust that the legislature will remedy this defect, by authorizing the agent to give publicity to this subject in at least five or six newspapers of the most extensive circulation in different parts of the State; for I am well assured, from nearly four years' experience, that the more fully and widely the agency is known, the more it will be appreciated *and relied on*, and the more numerous and steady will be the applications for it, from all parts of the State. I have found no difficulty, for the last two years, in obtaining suitable patients for vaccination, from whom an adequate amount of virus could be obtained for distribution; and it has only been when a crowd of applications has come on me, almost at the same time, from an apprehension of danger, that I have been unable promptly to supply them.

The number of patients vaccinated by me, from 1st January, 1848, to the present date, (7th of December, 1849,) is one hundred and forty-three. The number of packages of matter distributed, during the same time, is one hundred and eighty-one. The number of persons vaccinated, in 1846 and 1847, was one hundred and two. The number of packages of matter distributed, in the same years, was seventy. In 1846 and 1847 I distributed many packages of matter where no application was made. In 1848 and 1849 I mostly restricted the distribution to applicants, and yet the increase of distribution of the last two years, over that of the two preceding, stands as one hundred and eighty-one to seventy.

I herewith exhibit a list of persons to whom the matter has been distributed during the last four years. Should the Legislature determine to continue the agency, after an examination of what it has been able to accomplish in the last two years, I trust that a committee will be raised, as was done by the last legislature, to examine the subject more in detail, with such information as the agent may be able to lay before them.

All of which is respectfully submitted:

E. PICKETT, M. D.,
Vaccine Agent of Mississippi.

JACKSON, December 7, 1849.

VACCINATION—MODE OF OPERATING.

With the point of a clean, sharp lancet, needle, or common penknife, I puncture or scratch very slightly the skin, until I see distinctly the appearance of blood. If the wound should bleed too freely to permit the matter to remain in contact with it, I wipe off the blood, and wait a few minutes, till it ceases to appear, when the matter is applied with the point of the operating instrument. I usually vaccinate the left arm, about midway between the elbow and shoulder. I select this arm because it is least used.

Preparation of the Scab.—The hardest and darkest part of the scab should be selected and crushed to a powder on any hard, smooth surface, (I use two small glass plates for this purpose,) to which add a drop of water, which will soon change the powdered scab to a thick, milky fluid. The application of this fluid to the wound, and keeping it in contact with it till it dries, completes the operation. When the fresh lymph from the pustule is used, it should be taken about the ninth day, or, when the pustule is well filled, from a slight puncture near the margin, made with the point of a needle or sharp lancet, the clear lymph which exudes from the puncture will be found more certain in its effects than the scab; but I would not recommend a frequent resort to the pustule to obtain the lymph, for this might interrupt its regular course, and modify, to some extent, its influence upon the system.

Subjects for Vaccination.—Unless there be a necessity, arising from an apprehension of small pox, I would not usually vaccinate a child under a year old; after this age all should be submitted to the operation. Cutaneous diseases, chronic or recent ulcers, especially if they at all affect the general system, forbid vaccination. Children in delicate health and of irritable temperament should not be vaccinated, unless there be a strong necessity for it; for in such patients extensive erysipelatous inflammation may supervene, or the genuine vaccine disease may not be formed; in either case no protection will result to the vaccinated, from the operation, and it should be postponed till health is restored. That the vaccine disease may be fully developed—that it may run its course regularly, without interruption—the health of the patient should be good at the time of vaccination, and the condition of the skin as perfect as possible.

Appearance of the Genuine Vaccine Pustule.—On the fourth or fifth day after vaccination a small red pimple makes its appearance at the point where the matter was inserted, the slight wound having entirely healed. On the second and third days, after the vaccine inflammation has been distinctly formed, this pimple gradually assumes the character of a vesicle, elevated above the surrounding

skin, round or slightly oval in form, of a light pink red, almost semi-transparent in the circumference, and distinctly depressed in the centre. About the ninth day, usually, the vaccine pustule is perfectly formed and filled with lymph, the centre remaining depressed; and around it, varying from one to two inches in extent, the skin becomes inflamed, and of a deep scarlet color. If the pustule be now pierced with a needle or lancet, a transparent, clear fluid will be found to exude from it, which is the genuine vaccine virus. About the tenth or eleventh day the depressed centre begins to assume a darker hue, and, the pustule subsiding, this hue is extended slowly over the whole surface, where the transparent lymph is changed into the vaccine scab, of a deep mahogany color, usually about the size of a five cent piece.

Symptoms of the Genuine Vaccine Pustule.—The local symptoms are, itching during the forming stage, pain in the maturing or matured stage, and soreness afterwards. About the seventh or eighth day the patient has more or less febrile symptoms, attended with enlargement and soreness of the glands in the armpit. These febrile symptoms are usually so slight as to require little attention, and frequently escape observation or complaint; and, again, they are decided, well marked, and require attention. I have seen the patient with quick pulse, hot skin, flushed cheek, headache, sick stomach and furred tongue—though such cases are rare.

Treatment.—The vaccine pustule requires no local treatment—all that is necessary is to preserve it from pressure and friction, so that it may not be ruptured. If, however, considerable inflammation supervene, which should be regarded as an accidental, rather than as a necessary result of the operation, sugar of lead water and poultices may be used to advantage. For the febrile excitement, a dose of castor oil, quietude, and abstinence from excitants, are all that will be necessary.

Difference between the True and the Spurious Pustule.—The true vaccine pustule never appears till the end of the third or beginning of the fourth day after vaccination; the spurious always before, and with considerable inflammation. The true is marked with regular defined margin, and flat, indented surface: the spurious, with irregular margin and elevated surface. The true is first a vesicle, then a pustule; the spurious is never a vesicle, but runs at once into suppuration. The true is never fully matured until from the ninth to the tenth day; the spurious is generally well by that time. The true leaves a regular, well defined scar, with pitted surface; the spurious an irregular scar, with smooth surface.

And, Finally—It is recommended, earnestly, that every patient be submitted to the examination of a careful physician, or of some one well informed as to the appearance and progress of the vaccine disease; for it is not every pustule produced by the genuine virus that is genuine, and, to enable the physician to decide on its char-

acter with confidence, he should see it during its forming, maturing and declining stages—that is, about the fourth or fifth, eighth or ninth, and eleventh or twelfth days.

Of course the Faculty will perceive that the foregoing detail is not given for their instruction, but for that of those who will assume the responsibility of vaccination, without competent knowledge to conduct it.

E. PICKETT, M. D.,
Vaccine Agent for Mississippi.

JACKSON, MISS., January 25, 1847.

CIRCULAR—DUTIES OF THE AGENT.

1. To procure and keep for distribution fresh and genuine vaccine virus.
2. To distribute it, on application, to any citizen of the State.
3. To correspond with those who may wish it, giving such information as may be sought.
4. To vaccinate all who may apply for that purpose.
5. To keep a register of those vaccinated.
6. To report the Governor; and,

Lastly—To send circulars of the Agency, and duties of the Agent, to every county in the State, every six months.

E. PICKETT, M. D.,
Vaccine Agent for Mississippi.

A List of those to whom the Vaccine Matter has been distributed, during the years 1848 *and* 1849.

		No. of Packages.
No. 67,	Dr. J. S. Copes, Hinds county	1
No. 68,	Dr. L. A. Blackburn, Natchez, Adams county	1
No. 69,	Dr. L. Broom, " "	1
No. 70,	Dr. Evans, Decatur	1
No. 71,	O. R. Singleton, for Scott county	1
No. 72,	James McDugald, for Clarke and Jasper counties	2
No. 73,	Wm. P. Carter, for Dr. Wilson, of Marion county	1
No. 74,	John J. Pettus, for Neshoba and Kemper counties	2
No. 75,	Benjamin Kennedy, for Holmes county	2
No. 76,	Dr. Henderson, Madison county, Canton	2
No. 77,	Dr. Thomas J. Harper, Vicksburg	1
No. 78,	Mr. Connell, for Lowndes county	2
No. 79,	Dr. Chamberlain, Oakland College	1
No. 80,	Mr. George, Carroll county	1
No. 81,	Richard Jones, Sunflower county	1

		No. of Packages.
No. 82,	Dr. Watkins, Carroll county	1
No. 83,	James S. Gillespie, Carrollton	(1 scab)
No. 84,	Mr. Mason, Vicksburg	1
No. 85,	Dr. D. S. Lipscomb, Middleton	1
No. 86,	Col. Alderson, for Marshall county	2
No. 87,	Dr. D. O. Williams, Hinds county	1
No. 88,	Dr. Pickett, Tchula, Holmes county	1
No. 89,	Dr. Legrand, Lexington	1
No. 90,	J. Wall, Amite county	1
No. 91,	Dr. T. M. Rogers, Amite county	1
No. 92,	Dr. B. J. Hicks, Vicksburg	2
No. 93,	Dr. J. R. Dougherty, Holly Springs	1
No. 94,	John Duncan, Grenada	1
No. 95,	Col. Roach, Vicksburg	1
No. 96,	R. M. Glover, Tallaloosa, Marshall county	1
No. 97,	Dr. A. B. Cabiniss, Jackson	1
No. 98,	Dr. B. D. Hodges, Carters ville, Tishemingo Co.	1
No. 99,	Col. John Balfour, Grenada	1
No. 100,	Dr. B. D. Hodges, Cartersville, Tishemingo Co.	1
No. 101,	Dr. Crane, Carthage, Leake county	1
No. 102,	Col. Elder, Madison county	2
No. 103,	Walter Watkins, Charleston, Tallahatchie Co.	1
No. 104,	Dr. J. W. Leake, Yazoo City	1
No. 105,	Dr. H. C. Middleton, Tchula, Holmes county	1
No. 106,	Dr. J. Backstram, Neshoba county, Phila	1
No. 107,	Mr. Wm. Walker, Madison county	1
No. 108,	D. Charles P. Caffin, Pontotoc	(1 scab)
No. 109,	Mr. Davidson, Pontotoc	1
No. 110,	R. Barton, Holly Springs, Marshall county	2
No. 111,	Gen. Wooldridge, Neshoba county	1
No. 112,	Mr. Brooks, Holmes county	1
No. 113,	Col. Boone, Tishemingo county	1
No. 114,	Dr. Slaughter, Madison county	1
No. 115,	O. L. Nash, Oktibbeha county	1
No. 116,	Judge Fore, Tallahatchie county	1
No. 117,	Dr. A. J. McWilliams	2
No. 118,	Judge Clayton, High Court	1
No. 119,	Mr. McLaurin, Covington county	1
No. 120,	E. M. Davis, Amite county	1
No. 121,	Wm. R. Cannon, Oktibbeha county	1
No. 122,	A. W. Ramsay, Mississippi City	1
No. 123,	Mr. Dampier, Simpson county	2
No. 124,	Col. Metcalf, Scott county	1
No. 125,	Samuel Noble, Smith county	1
No. 126,	Mr. Thames, Newton county	1
No. 127,	Dr. Wilbourn, Yallobusha county	1
No. 128,	Dr. Sharp, Holmes county	1

		No. of Packages.
No. 129,	Mr. White, (Senator,) Yazoo City	1
No. 130,	Drury Bynum, Jones county	1
No. 131,	Dr. A. J. McPeters, Natchez	1
No. 132,	Dr. W. J. Leake, Yazoo City	1
No. 133,	Thomas F. Wilson, Panola	1
No. 134,	Dr. John C. Hicks, Sunflower Co., P. O. Carrollton,	1
No. 135,	Mr. McRay, Natchez	1
No. 136,	Col. John R. Norfleet, Mt. Pleasant, Marshall Co.,	1
No. 137,	Wylie Body, Hinds county	1
No. 138,	Drs. Moorman & Ayres, Salem, Tippah county	1
No. 139,	Dr. W. B. Wilbourn, Yallobusha county	1
No. 140,	Dr. D. C. Sharp, Holmes county, Lexington	1
No. 141,	Mrs. E. Foote, Raymond, Hinds county	1
No. 142,	Dr. Farrar, Jackson	1
No. 143,	John Burrus, Hinds county	1
No. 144,	Dr. Wm. S. Langley, Jackson, Hinds county	1
No. 145,	Dr. Wydown, Raymond, Hinds county	1
No. 146,	Dr. Stewart, Madison county	1
No. 147,	Dr. Roberts, Hinds county	1
No. 148,	Dr. Crane, Carthage, Leake county	1
No. 149,	R. M. Glover, Tallaloosa, Marshall county	1
No. 150,	John T. Connell, Lowndes county	1
No. 151,	Dr. J. C. Hicks, Sunflower county	1
No. 152,	Joseph P. Fore, Tallahatchie county	1
No. 153,	Duncan McLaurin, Covington county	1
No. 154,	Dr. J. V. Hodges, Raleigh, Smith county	1
No. 155,	Dr. H. J. Thomas, Yazoo county	1
No. 156,	Wm. R. Cannon, Oktibbeha county	(1 scab.)
No. 157,	P. S. Ca tchings, Copiah county	1
No. 158,	Dr. Bush, Gallatin, Copiah county	1
No. 159,	Dr. Massey, Gallatin, Copiah county	1
No. 160,	Hon. Jas. J. B. White, Yazoo City	1
No. 161,	Wm. A. Carr, Yallobusha county	1
No. 162,	Dr. J. A. McPeters, Natchez	1
No. 163,	Dr. Skipwith, Tunica county	1
No. 164,	N. B. Benedict, Pinckneyville, Wilkinson county	2
No. 165,	Dr. Blackburn, Natchez	1
No. 166,	Dr. Broom, Natchez	1
No. 167,	Dr. Ware, Jackson	1
No. 168,	Joseph L. Chappell, Hinds county	1
No. 169,	Dr. Banks, Clinton, Hinds county	1
No. 170,	Dr. J. W. Barnett, Yazoo City	1
No. 171,	Dr. Wilkinson, Benton, Yazoo county	1
No. 172,	Dr. Dewees, Hinds county	1
No. 173,	Samuel Smith, Hinds county	1
No. 174,	Mr. Fort, Society Ridge, Hinds county	1
No. 175,	Dr. Chapponier, Natchez	1

		No. of Packages.
No. 176,	Mr. Enlsoe, Phila., Neshoba county	1
No. 177,	Dr. Hicks, Sunflower county	2
No. 178,	Dr. H. Middleton, Tchula, Holmes county	1
No. 179,	Gen. Wm. Clarke, Hinds county	1
No. 180,	George Body, Jackson, Hinds county	1
No. 181,	Mr. Steger, Hinds county	1
No. 182,	Mr. Ridley, Madison county	1
No. 183,	Benjamin Whitfield, Hinds county	1
No. 184,	Dr. Aldridge, Madison county	1
No. 185,	Dr. Farrar, Jackson, Hinds county	1
No. 186,	Dr. McMullen, Madison county	1
No. 187,	Dr. Ware, Jackson, Hinds county	1
No. 188,	Dr. Inge, Jackson, Hinds county	1
No. 189,	Dr. Hannum, Clinton, Hinds county	1
No. 190,	To emigrants to California	1
No. 191,	Robert Stanton, Natchez	1
No. 192,	Dr. L. P. Blackburn, Natchez	1
No, 193,	Dr. Jos. A. Vincent, Gainesville, Hancock Co.,	1
No. 194,	Dr. H. A. Swasey, Cardiff, Warren county	1
No. 195,	Dr. J. Chamberlain, Oakland College	1
No. 196,	Wm. P. Ozland, Warrenton, Warren county	1
No. 197,	George Torrey, Malcolm, Jefferson county	1
No. 198,	Joseph McGuire, Bolivar county	1
No. 199,	Wm. Hardeman, Hinds county	1
No. 200,	Dr. A. P. Jones, Rodney	1
No. 201,	T. C. Greenwood, Houston	1
No. 202,	N. B. Whitehead, Madison dounty	1
No. 203,	Postmaster, Worthington's Point	1
No. 204,	George Torrey, Malcolm, Jefferson county	1
No. 205,	Mr. Moseley, Oakland College	1
No. 206,	Dr. Inge, Jackson	1
No. 207,	Dr. O. O. Woodman, Vicksburg	1
No. 208,	Miles Lester, Gayuga, Hinds county	1
No. 209,	A. R. Green, Hinds county,	1
No. 210,	Dr. ————, Brandon	1
No. 211,	Dr. Alderman, Livingston, Madison county	1
No. 212,	Dr. Smith, Clinton, Hinds county	1
No. 213,	E. F. Russ, Pearlington, Hancock county	1
No. 214,	Dr. M. J. Standard, Mississippi City	1
No. 215,	Dr. A. N. Jones, Columbus, Lowndes county	1
No. 216,	J. W. Stephens, Rienzi	1
No. 217,	Dr. Matthews,	1
No. 218,	Dr. O'Leary, Sharon, Madison county	1
No. 219,	Mr. Reynolds, Hinds county	1
No. 220,	James B. Buchannan, De Kalb	1
No. 221,	J. B. Hancock, Marion,	1
No. 222,	Wm. D. Lyles, Macon	1

		No. of Packages.
No. 223,	Postmaster, Decatur	1
No, 224,	Wm. S. Rayland, Daleville	1
No. 225,	Mr. Olive, Holmes county	1
No. 226,	W. Kirk, Winston county	1
No. 227,	Wm. A. Davis, Oktibbeha, Kemper county	1
No. 228,	John T. Bell, Wahalak, Kemper county	1
No. 229,	Centreville, Amite county	1
No. 230,	Dr. R. P. Jones, Attalaville, Attala county	1
No. 231,	Dr. D. O. Williams, Hinds county	1
No. 232,	Dr. Dewees, Livingston, Marion county	1
No. 233,	H. D. Robinson, Hinds county	1
	Total	181

A correct copy from the Register:

E. PICKETT, M. F.,
Vaccine Agent for Mississippi,

To His Excellency, JOSEPH W. MATTHEWS,
Governor of the State of Mississippi:

SIR:—The undersigned. Secretary of State of the State of Mississippi, and *ex officio* General School Commissioner, has the honor to to submit the second biennial report of the condition of the common schools of the respective counties herein designated, under the operation of the school laws approved March 5th, 1846, and March 4th, 1848.

In my last official communication returns were embodied from one-fourth of the counties of the State; and I have to regret that, either from inefficiency or inattention of the Boards of Commissioners and County Superintendents, I am now only able to report, in a meagre and unsatisfactory manner, the condition of the common schools in eleven counties.

It will also be observed that, in my former report, information was communicated from several counties, from which no official returns have since been received.

The board of commissioners for the county of *Clarke*, in September, 1848, reported an insufficient fund to sustain more than one teacher in the county, and, under the act of 1846, consent to impose a special tax could not be obtained.

No school had been established in the county up to that period, in consequence of a misapprehension of the provisions of the act of 4th March, 1848, amendatory to the act of 1846. They reported, on account of the sale of the 16th section, $325 14, including a note for $43 18, sued on. Received from licenses, $786 51. In the aggregate, $1,165 51, loaned at eight per centum, and well

secured. On the 4th June last, they further report that, in consequence of the deficiency of the school fund, no school had as yet been established, but express the hope that they will soon succeed in doing so. They have $1,515 77 loaned at interest, and well secured, excepting the sum of $43 18, which is considered doubtful.

The board of commissioners for the county of *Chickasaw* represent, on the 1st June, ultimo, that there was in their county treasury, to the credit of the Common School Fund, $548 69; that nothing had been expended; that there are, in the county, one hundred and sixty-eight children who are deemed proper beneficiaries of said fund.

The board had determined to pay one dollar per month, for a term not exceeding five months, within the year 1849, for each of such children as might be duly sent to, and taught in, any common school in the county—payment to be made at the end of the year.

The board further represent that a decree of forfeiture had been obtained against individuals, upon which the District Attorney had collected five hundred dollars, but had not then paid the same, or any part thereof, over to the county treasury. No sixteenth section fund had ever been created in the county.

The Superintendent of Public Schools for the county of ***Hinds***, on the 13th September, 1848, transmitted to this Department the assessors' report of the number of children between the ages provided by law, as follows:

In township 3, range 1, 2, 3 and 4 West,	305
In township 4, range " " " "	427
In township 5, range " " " "	443
In township 6, range " " " "	398
In township 7, range " " " "	247
In township 8, range 3 and 4 West,	24
In township 3, range 1 East	5
In township 4, range 1 "	3
In township 5, range 1 "	428
In township 6, range 1 "	83
In township 6, range 2 "	11
In township 13, N., range 5 West	54
In township 14, " " 5 "	90
In township 15, " " 5 "	22
Total	2,540

As per report just received, the aggregate amount of the Common School Fund in Hinds county is four thousand eight hundred and seventy-six dollars and thirty-four cents, exclusive of commissioners' salary, etc.

The amount derived from twenty-five per cent. tax is four thousand six hundred and seventy dollars and thirty-four cents;

fines, etc., two hundred and thirty dollars; licenses, nine hundred dollars.

In the month of April last, it is stated, there were twenty-five hundred and forty children in said county, between the ages prescribed by law. Forty-seven common schools had been established, embracing thirteen hundred and sixty pupils, including therein attendants upon the Jackson Free School. There were eleven private schools, numbering two hundred and sixty-four scholars. The Sixteenth Section Fund yields an annual revenue of forty-five hundred dollars. The average salary paid to teachers is estimated at forty dollars per month.

The superintendent of the county of *Holmes* makes returns of the enumeration of children, *without specifying* the age (and hence I have not classified them) of the aggregate number of sixteen hundred and eight.

The condition of the School Fund in *Jones* county was reported to be, June 5th, 1848, as follows: Amount of notes arising from the sale of the sixteenth sections, $1,175; from tavern license, $75, and interest, $140, making a sum total of $1,390 90. They had received, on account of principal and interest, from sundry persons, $105 73; paid and loaned out, $105 18 They further state, on the 4th June, ult., there had been received $40 31, and $40 loaned out. No schools have been established in the county, and no other report received therefrom.

It appears from the return of the assessor for *Jefferson* county, dated September 1st, 1848, that there were, between the ages provided by law, free white children in said county as follows:

In township 8, range 1 and 2 West	25
In township 9, range 1 "	10
In township 10, range 1 "	38
In township 8, range 1, 2, 3 & 4 E	249
In township 9, range " " "	159
In towhship 10, range " " "	73
Total	554

The late superintendent of common schools for said county, on the 20th October, ult., reports that the poorest townships in said county distribute to every child within their limits the sum of three dollars and sixty-six cents, and the richest, the sum of twenty-five to thirty dollars.

In May, 1848, a special tax of ten per centum of the State tax was imposed, from which they derived a revenue of $1009 36. The aggregate amount of the School Fund, in April last, inclusive of the special tax accruing from licenses, etc., amounted to the sum of $1,699 36. After deducting superintendent's salary, and commissions of other officers, there remained $1086 44 to be distributed among the townships entitled to the same. A scale of dis-

tribution was adopted in appropriating the fund to the respective townships, in order to equalize the benefits thereof proportionably to their several number of children—establishing, as their minimum, the township having the poorest sixteenth section fund, and applying, for the benefit of each child, an amount equal to that derived from the sixteenth section fund. Provided the sixteenth sections were all available, he estimates a tax of twenty-five per centum would equalize nearly one-half of the townships in the county. A tax of fifty-five per centum would give each child, in twelve townships, the sum of $16, and the sum of $4 from each parent or guardian, added to this amount, would enable each child to attend school eight months in the year.

The board have divided townships, when necessary, into two equal parts, and established two schools therein, having the requisite number of pupils in each part. In some instances they have retained a portion of a township as one district, and the other portion has been added to the part of an adjoining township; of the two a second district was formed. Children residing at the extreme limits of a township were permitted, with the consent of the trustees concerned, to pass over and attend school in adjoining townships. In pursuance to this plan ten or twelve schools were established, averaging twenty-five scholars each.

A report from *Lawrence* county, dated 31st October, 1848, purporting to be an assessment return, was received at this Department, from which it appears there are eleven hundred and eighty-one children in the county; but, as their ages are not specified, in pursuance to law, it is deemed unnecessary to classify them. The superintendent for said county, in November, 1848, states that trustee elections were held in eighteen townships, and (with one or two exceptions) there are not, in the remaining townships, a sufficient number of persons willing and capable to serve. Three schools had been established, under the act of 1848, and others would have been, provided the people had been informed of the advantages of the law. The total number of children attending school was estimated at one hundred and fifty. He estimates that the county school fund, including the twenty-five per centum of the State tax, will defray about one-half of the expenses of the schools.

In his second annual report, made in November last, he gives information of the organization of ten schools, and speaks encouragingly of the future prospect.

The school commissioners for *Lauderdale* county, by a recent report, represent that there are five schools in successful operation, and one hundred and fifty-six pupils in attendance thereon. The amount of general school fund is stated to be $1,731 26, $481 76 of which is in the county treasury, and $1,249 50 loaned on interest, and secured. There has been paid to teachers, during the past year, out of the sixteenth section and general school funds, six hundred and forty dollars. In one township there is a school fund

of $785 95, $56 89 of which is in the county treasury, and the balance on interest, and secured. One-half of the amount of the salaries of the respective teachers is paid from the School Fund, and one moiety by individuals.

The board of school commissioners for *Pike* county, in December, 1848, reported five schools in successful operation, in the month of June preceding, and the number gradually increasing. They further state the aggregate number of days of tuition, between the 7th September, 1847, and 3d June, 1848, to have been as follows:

Scholars under 10 years of age	3,146
Scholars from 10 to 15 years of age	4,891
Scholars from 15 to 20 years of age	2,591
Scholars from 20 to 25 years of age	523
Scholars 25 years of age, and upwards	207
Total	11,358

They have expended for their tuition from two and one-third to five cents per day—the balance being paid by parents and guardians. The amount of permanent funds of the several townships was reported to have been $3,806, all of which is loaned, on good security. The amount of the Education Fund is stated to have been $10 26. In June, 1849, the board gave information of six schools in operation, at which there had been, during six months, seven thousand five hundred and eighty-four days' attendance of the different scholars. There had been paid five cents per day, for three hundred and thirty-six days' tuition, and one cent per day for nine hundred and eighty days—the balance having been paid by parents and guardians. Eighteen teachers had been licensed, and mostly employed. The amount of permanent funds belonging to the several townships was $3,886 52, $9 22 of which was in cash, and the balance in notes, with good security. The Education Fund amounted to $54 24.

The superintendent of public schools in the county of *Wilkinson* made a report, on the 10th September, 1848, from which it appears that boards of trustees were duly elected in all the townships but two. *They* were afterwards filled as the law directs. By reference to the assessors' returns it is shown there were, between the ages specified in the law, nine hundred and thirty-six children. Of this number it was supposed that about six hundred would avail themselves of the benefit of the free schools. It was thought, by a careful distribution of the fund arising from the highest tax, (fifty per cent.,) allowed in the law, that the children might be educated, "with a very small demand on the parents." The township funds vary very much in amount, from $20 per annum, to $800, or from $300 to $22,000 capital. "There are but two townships in the county able to pay all school bills, without charge to the general

fund or the parents." There are five townships, having from one-half to two-thirds of what will be required. "These will never draw anything from the county fund, as the average of distribution will never reach their present income; besides the fact that these townships are wealthy." There are nineteen townships in the county, and two fractional. Finally, to meet the educational demands of these, at least twenty five schools will be required. A variety of obstacles had prevented the organization of more than four schools, under the provisions of the law. Eighteen teachers had applied for examination, and been licensed.

The superintendent again reports, under date of the 21st November, ult., the present condition of common schools in Wilkinson county. Five hundred and sixty-one children have attended the township schools during the past year. There are nine hundred and thirty-six children in the county of lawful age. One hundred of these have attended private schools. This leaves some three hundred children who have not had the benefit of instruction during any part of the year. Reasons are assigned for this destitution, and suggestions made as to some modifications of the law, which, in the main, is considered wise and salutary.

A tabular statement accompanies this communication, specifying the number of children in each township; number at school in each township; number at school; number to and from another township; time, and branches taught in the school; amount of capital in each township, and amount of income; amount per child; cost of houses and tuition, and amount paid, per child, by the county, are all given in detail.

The school commissioner of *Yazoo* county, in December, 1848, furnished a tabular statement, from which it appears that there were, in the aggregate, eight hundred and nine children in the county—four hundred and thirty-three attending school.. Seventeen teachers were employed, who were paid $2,385 out of the Sixteenth Section Fund, $628 out of the School Fund, and the balance by individuals. In the month of March last they further report the aggregate number of children to have been one thousand and seventy-three; four hundred and twenty-nine of this number were at school. They employed seventeen teachers, who were paid from the Sixteenth Section Fund $1,570, and $553 out of the School Fund, and the balance by individuals.

Your commissioner has thus, in pursuance to law, given a summary of all the returns on file in this Department from the School Commissioners and Superintendents.

My predecessor in office prepared suitable blanks to be filled up by the school commissioners, and distributed them as required by law—not one of which has been returned to this office; and, in in the absence of uniformity of returns, great difficulty is experienced in presenting such facts as are desirable to a complete understanding of this great enterprise.

It is worthy of remark that, in several counties, great emphasis is placed upon the fact of their inability to procure competent teachers. This is assigned as a chief cause of their destitution of schools. "Ireland, Scotland, Canada, New England, New York, and the Western States, furnish nearly all of our teachers." It is, unfortunately, too true—"Very few native teachers are employed, from the fact of their incompetency." This melancholy truth is observed by men of intelligence throughout the State, and is considered one of the greatest obstacles to a successful establishment of any general system of education. We are at a loss which the most to condemn, an entire state of ignorance, or an erroneous and false tutelage of our youth.

The pedagogue who implants upon the tender mind habits at war with the true principles of science, does a lasting injury to society, and deserves the reprobation of mankind. This important consideration, so obviously true, renders it our highest duty, in perfecting a system of education which is to enure to the benefit of the present and future generations, to look well to the character and qualifications of those to whom we confide the instruction of our children.

Men are often employed to instruct our youth, entirely void of all literary qualifications, destitute of sound moral principle, and entirely unfit for their stations. We must overlook their foreign accent and stupid vulgarity, or be entirely deprived of school privileges. The only conceivable corrective is in the establishment of schools, whence teachers of the right sort may be procured, bringing the proper credentials as to character and literary qualifications. Various systems have been resorted to, in other States, to obtain this end, and it appears to be conceded that academies and colleges, in their discipline and instruction, are not well calculated for the instruction of teachers.

Your commissioner respectfully suggests for your consideration the paramount importance of establishing one or more schools of a Normal character, having for their object not only the implanting of mere positive instruction, but a mode of discipline peculiarly adapted to the wants and training of teachers. The objects, course and branches of instruction of a Normal school may be briefly defined thus: Candidates for admission as pupils into the school, are examined in orthography, definition of words, reading, English grammar, history of the United States, geography, arithmetic and penmanship. Their average of scholarship must be such as to entitle them to admission, after a most thorough examination in these branches. The mode of instruction and discipline are peculiarly adapted to the training of teachers. It is not only necessary that the pupil should acquire knowledge, but they must give evidence of their ability to communicate it to others. "In the Normal school the pupil must spend time in recitation that would be unnecessary in ordinary schools; they are not only required to recite

a lesson, but to illustrate it, as they would in teaching the same subject. One essential element in carrying out the object of the school, is the admission of pupils of proper dispositions and habits, with sufficient literary attainments to render it unnecessary to devote much time to their instruction in the elementary branches, except with reference to teaching them.

Lectures should be given on school government, and instruction, by lectures and recitations, in natural philosophy, chemistry and physiology. "In arranging the course of instruction," (remarks an able author,) "the aim is to restrict it chiefly to such branches or subjects as are essential to a complete fulfilment of the duties of a teacher, under whatever circumstances he may be placed; and not only in the instruction, but in every relation the pupil holds to a school, his future destinations as a teacher is kept prominently in view." The purpose of the school being particularly to develop the talents of the pupils as instructors, after a prescribed course of instruction, on any topic is indicated by the principal, the recitations are left to be carried on by the pupils themselves.

"The method of instruction is founded upon strictly inductive principles, always proceeding from the known to the unknown." In pursuing this course, much time is required, and the patience and skill of the teacher are subjected to the severest test; while mere routine teaching, or simply imparting positive instruction, so generally practiced, because attended with less labor, is carefully avoided. In the application of the first method, the mind, being necessarily the active agent in obtaining knowledge, is unfolded; while in the latter, by its being the passive *recipient*, it is liable to be overburdened, and the memory *only* improved. If the positive knowledge acquired by the inductive method is ever lost, the habit of thinking *remains*, and the reasoning powers are developed and disciplined." Thought and reason are fully developed, and principles are substituted for arbitrary rules.

The following branches of instruction have been adopted in some institutions of this character:

Lectures on the principles of education, embracing mental, moral and physical education; instruction in school government, and teaching the elementary branches, and practice in teaching. In the department of mathematics, elementary arithmetic, and instruction in higher arithmetic, and algebra and elementary astronomy. In the department of grammar, English grammar, and instruction in etymology, rhetoric, and elements of composition. In reading and history, instruction in English literature and the art of reading, geography and history of the United States of America, history of England, and general history of the world. Instruction in writing, drawing and music may also be added.

Your attention is invited to the "Act to provide for and establish schools in the counties of Hinds, Holmes, Tunica, Jefferson, Wil-

kinson, Lawrence and Amite," and particularly to the 17th and 18th sections thereof.

The minimum number of scholars, in order to make a complete district, is twenty. The trustees cannot draw the funds from the county treasury without the full complement of scholars. From the sparseness of population, and other causes, in many instances the objects of the law will be defeated, unless modified to some extent. If the number was reduced, or made subject to the discretion of the trustees and superintendent, the number of schools would be increased.

As there has been a wnnt of uniformity in the legislation of the State upon the subject of common schools, it would be an endless task to refer to the numerous appeals made for modifications of the laws on this subject. It has occurred to the undersigned that the cause of education would be greatly conserved throughout the State, should the legislature, in its wisdom, provide by law for the appointment of one or more State Superintendents, who should have a supervisory care of the educational wants of the State, and devote their exclusive time and energy to the establishment of schools and the perfection of a general educational system, adapted to our population and institutions. If the right sort of talents were enlisted in this behalf, great good might be effected.

In conclusion, your commissioner indulges the pleasing hope that the potriotic design of extending educational privileges to each child in the State may speedily be accomplished, and thereby elevate the standard of morals, and secure the blessings of civil and religious liberty to the remotest posterity.

All of which is most respectfully submitted.

I have the honor to be, most respectfully your very obedient servant

SAMUEL STAMPS,
Secretary of State,
and ex officio General School Commissioner.

JACKSON, December 26, 1849.

REPORT

Of Superintendents of Common Schools in Hinds County.

HON. SAMUEL STAMPS,

Secretary of State:

SIR: I have the honor herewith to submit my report on schools and school funds in Hinds county.

Very respectfully,

A. NEWTON,

Superintendent Com. Schools Hinds County.

Nov. 1849.

TO THE HON. SAMUEL STAMPS,

Secretary of State:

SIR: The undesigned, Superintendent of Common Schools for Hinds county, in compliance with section twelve, of the school law, approved March 4, 1848, respectfully submits the following report, containing facts, suggestions, estimates, and such proposed modifications of the existing law, as experience would seem to demand, together with an exhibit, showing the number of free white children, between the ages of six and twenty, in the county, and in each township, as per assessor's returns, Sept. 1848; the number of common schools, and the number of scholars attending them, during the year ending May, 1848; the number of private schools in the county, and the pupils attending them; the township or 16th section fund in each township; the amount of common school fund appropriated to each township, etc.

1. DIFFICULTIES ENCOUNTERED IN PUTTING THE SYSTEM INTO OPERATION.

The law of 1848, proposed to introduce and establish a system of means for the education of "all free white children," entirely new and untried. Difficulties were to be expected, in starting and establishing such a system. Among these, may be mentioned, as the most prominent, a general apprehension or suspicion in the minds of our people that the law would not be permanent.

The objection has been urged, as an excuse for inaction on the part of many good citizens, "a new school law every session of the Legislature, always doing and undoing, making changes and experiments, producing nothing but confusion, and accomplishing no real and lasting good."

The limitation of twenty scholars, (section 8,) proved an insuperable difficulty to some boards of trustees, in the establishment of schools. Ignorance, apathy in regard to education, generally, manifested chiefly by those not feeling personally interested; obstinacy and unconquerable prejudice on the part of a few, and an unpardonable selfishness in many, who would not have a school, but *where* they *would* have it, and the consequent disagreement as to locations, may be reckoned as contributing their full share of the difficulties to be overcome.

2. GOOD EFFECTS OF THE LAW.

If the law of 1848 has failed to accomplish all the good which was contemplated, and desired by its friends, it has not failed to awaken public attention, in a degree unprecedented in this latitude, to the immeasurable importance of popular education. I do not hesitate to say, that more has been thought and said in Hinds county, on this subject, during the last year, than has been thought and said in any twenty years preceeding.

The funds belonging exclusively to the township, arising from the lease of 16th sections, have been more carefully looked after.

The township trustees, generally, with an earnestness and an energy altogether new, in this department, and highly benefitting the sacred responsibilities of their station, have gone to work like men, waked up the sleeping holders and debtors, and startled them from their hiding places. The most stringent measures have been adopted, for forcing payment and securing funds. In this regard, the board of trustees are worthy of all praise.

I think we may safely reckon, as one of the happiest results of this law, the practical demonstration which, as an experiment, it has furnished, that a system of common schools, aiming to carry the means of instruction to all, can live in this State.

3. SCHOOLS AND SCHOOL FUNDS.

The Exhibit accompanying these sheets, is based chiefly upon the reports of trustees, rendered in April, 1849, and shows:

Number of children, between the ages of six and twenty, as per assessor's report, Sept., 1848,	2,540
Number of common schools,	47
Number attending common schools, including Jackson Free Schools,	1,361
Number of private schools,	11
Scholars attending township, or sixteenth section fund, principal belonging to the townships severally, a portion not due,	$45.00
Common school fund arising from tax licenses, fines, penalties, etc., and distributed to the townships in proportion to the number of children in each,	$4,876 34

This common school fund gives to the whole number of children—2540—each, - - - - 1 92

But as those only actually at school are entitled, we have $4,876—1360—per child - - - $3 60

The amount per scholar in townships having available 16th section funds, was more or less, in proportion to the value of those funds, and is not exhibited. Supposing these funds all due and yielding an interest of ten per cent., and distributed, we would have, aggregate 16th section funds, $4,500—2540—per child, - - - - - 1 79

The Exhibit furnished is necessarily imperfect, and probably inacurate, and is by no means as satisfactory as could be desired. The time of the attendance of scholars is not given. The average time is about —— months. The average salaries of teachers is about $40 per month.

The funds set down to each township, indicate the assets of each, amount in the aggregate, to about $4,500. These funds, though generally safe and good, are in some instances, unavailable at present; and in some townships a portion of the notes is not due. In others, the 16th section, remains unsold, and is worth but little. In one township, the 16th section is rented annually, and yields about $350. Another, in like manner, yields about $40 per annum. These are indicated in the Exhibit, as being assets, severally amounting to $3,500 or $500.

In several fractional townships, the school section lies wholly, or in part, in an adjacent county.

The common school fund distributed, is the nett amount. Thus,

Tax equal to 25 per cent. of the State tax,		$4,670 34
Fines, penalties, &c.		23 00
Licenses,		900 00
Total common school fund,		$5,800 00
Deduct Treasurer's commissions 3 per cent.	134 00	
Superintendent's salary,	600 00	
Assessor,	150 00	
		924 00
Common school fund distributed,		4,876 34

4. ESTIMATES.

In comparing the number of scholars with the number of children in the county, it is important to notice, that the legal school age is from six to twenty. Many thus enumerated, are young men engaged in business; others are young ladies whose education is finished, and not a few are mistresses of families. The number of such as do not need, and cannot be expected to go to school, must be at least 500. If so, then we have.

The number of children that ought to go to school,	2000
To the 1,360 attending common schools, add the number at private schools, 1,360—264 - - - -	1624
Leaving the number at school, - - -	376

Again; we may safely assume 1,800 as the highest number of scholars that can be expected, under any circumstances, to attend the common schools in any one year, without a very considerable increase of the population of the county.

Now, supposing the township funds all due and yielding an annual income, and the school tax to remain as at present, (the licenses will fall short several hundreds) we have the following:

Township fund—aggregate of the county -	$4500
Common school fund 25 per cent. of the State tax,	4600
Making total school fund - -	$9170
This would give to 1,800 scholars 9,170—1800 scholars,	509
Making the tax equal to 50 per cent, of the tax, and then we have—	
Common school fund. $9340—4,500—13,840—1,800 per scholar, - - - - - -	7 68
Making the school tax equal to 75 per cent. of the State tax. Then, common school fund, $14,010—4,500—18,510—1,800 per scholar - - - - -	10 28
Making the school tax equal to 100 per cent. of the State tax, and we have—	
Common school fund, $18,680—4,500—23,180—1,800 per scholar, - - - - - -	12 87

In the above estimates the funds of the several townships are consolidated and made common with the tax fund, and show the average *per capitum*, school fund of the county, that would be produced by the several rates of taxation.

On the basis of a school tax, equal to 75 per cent. of the State tax, each township retaining its own 16th section fund, as at present, those townships having no exclusive fund, would receive per scholar $7 78. And township three, range four west, (Utica,) one of the wealthier townships, may be considered thus:

Township 3 range 4 west, (Utica,) 16th section fund, $5,056, interest 10 per cent., - - - - -	505 00
Number of scholars reported, 96, $500—96, per scholar	5 25
Portion of common school fund - - -	7 78
Total fund per scholar - - - -	13 03
This would pay for teachers' salaries, -	1,250 88

5. MODIFICATIONS OF THE LAW SUGGESTED.

Section 1, amend so as to avoid misconstruction.

Section 2, make the tax equal to— per cent. of the State tax.

Section 5, require the superintendent to appoint three voters of the township inspectors of the election, and to make their returns to him. Also, define who are "voters." Elect trustees for two years.

Section 6, provide that the clerk shall not issue execution until advertised by the trustees, or for thirty days.

Section 7, provide for the appointment of a treasurer.

Section 8, strike out the limitation of twenty scholars, in both the instances in which it occurs. Also provide that the superintendent shall apportion the common school fund to the townships, by submitting to the county treasurer, annually, a statement showing the amount that each township is entitled to by law.

Section 9, provide for a suitable compensation to the collector of township or district tax, and for forcing the collection.

Section 12, require the superintendent to report to the board of police, annually.

Section 17, strike out the limitation of twenty youths, and say, a sufficient number to make a school.

Section 18, provide that pupils may be sent to schools scross the township lines, with the consent of the boards of trustees concerned.

Also define the terms "so situated," to mean as to distance, and access to the school-house.

Section 19, define "all the powers and all the duties," so as to refer only to the management of schools, employment of teachers, &c., and not to the control of the township funds, lands, &c.

Also, repeal the special laws giving to the city of Jackson, exclusively, the funds arising from licences, &c., in the city.

Also, define, clearly, the relation of the Jackson free schools to the county system.

Require reports to superintendent, and either require teachers to obtain, or exempt them from obtaining certificates from the superintendent.

Section 22, repeal all the old laws regulating 16th section funds, election of trustees, &c.

Section 8, define when the year begins and ends.

Provide, distinctly, that the existing boards of trustees shall be authorized to make titles to lands sold or leased by previous boards, or by the commissioners under the law of 1846.

Provide for those townships or fractions of townships, whose 16th sections lie wholly or in part, in adjacent counties.

Provide for the disposal of the fund now in the county treasury, which accrued from licenses, fines, penalties, &c., under the law of 1846, and for the payment of certain teachers employed by said commissioners.

Define, expressly, upon whose warrant the county treasurer shall pay over the sums apportioned to the several townships, from the common school fund.

TEACHERS. I have found myself happily disappointed in the number of competent and faithful practical teachers offering themselves to our schools. As the licensing system was entirely new, it was thought best to deal gently at first. And, besides, I was fearful a sufficent number of well qualified teachers could not be had, and under this impression, gave certificates to too many applicants who, to say the least, were no better than they should be. A considerable number were, nevertheless rejected as utterly unendurable. I now feel satisfied, from the experience of the last few months, that with a fund such as would accrue from a tax equal to 75 per cent. of the State tax, our county may very soon become the glory and pride of the State in respect to schools. We have now a considerable number of teachers, who are in all respects "workmen who have no need to be ashamed." Men of enlarged, liberal, cultivated, and practical minds; men who know their duty, and have hearts to perform it. This number may be increased to any desirable extent. It is true, those we have are self-sacrificing men — and labor faithfully in the great cause with very moderate salaries. But let it once be understood, that Hinds county has the means, and the right sort of teachers will not be wanting.

The people are willing; they are prepared. To say they are not yet prepared for measures so liberal, is only another way of saying they are not willing to be taxed. This may be true of a small minority. But there are a few men in every community, who are not willing to be taxed for any thing, not ever for making roads and the support of government. I do not hesitate to express my belief, however, that a large majority of our citizens are now ready and willing to pay any tax for educational purposes, ☞ provided it is sufficiently high. What they want is a system of *free* schools. Many, who are opposed to the present law, because of the stinted amount of funds raised, are in favor of a liberal policy; such a tax as would produce four times the means we now have. This would elevate the character of common schools, so that those who seek superior advantages for their children could not find them elsewhere.

TEACHERS' INSTITUTE. An association of teachers has been formed, and although its meetings are not as numerously attended as is desired, yet as a means of mutual improvement, devising and suggesting the best methods of communicating instruction, uniformty of text books, and the management of schools, it promises much good. Such an association, in the absence of any thing like a Normal school, bringing the teachers together to hear and deliver lectures upon educational topics—to consult and advise with each other—to propose and discuss modes of teaching, to form acquaintances, and cultivate good feeling and a professional spirit, may be made productive of incalculable good to teachers, pupils, and the

community at large, and cannot fail greatly to enhance the value and efficiency of the common school system.

I would earnestly recommend that a small appropriation from the common school fund, say $——, to be voted by the board of police, and with appropriate restrictions, be made for defraying the expenses necessarily incurred by the members of this association, in the purchase of books, stationery, room-rent, lights, &c., and especially books on education and school teaching.

A. NEWTON,
Superintendent Com. Schools Hinds county.

Nov., 1849.

Exhibit of Schools and School Funds in Hinds County, November, 1849. A. NEWTON, *Superintendent.*

TOWNSHIP.	NO. OF CHILDREN IN EACH TOWNSHIP BETWEEN THE AGE OF 6 AND 20, AS PER ASSESSOR'S REPORT SEPT., 1848.	NO. OF CHILDREN AT SCHOOL DURING THE YEAR ENDING MAY, 1849.	NO. OF COMMON DURING THE YEAR ENDING MAY 1849.	NO. OF PRIVATE SCHOOLS.	TIME TAUGHT.	BRANCHES TAUGHT	TOWNSHIP ON 16th SECTION FUND.	COMMON SCHOOL FUND DISTRIBUTED.
Township 6, range 2 east	11....	.....			....	....	.....	$ 21 11-5
Township 3, range 1 east	5....	Attached to	town'p. 3,	range 1 west	....	....	.....	.....
Township 4, range 1 east	3....	Attached to	town'p. 4,	range 1 west	....	....	.....	.....
Township 5, range 1 east	428....	80....	3..	3-80pupils	....	....	$ 7,386 35	821 58-8
Jackson Free Schools.....	.....	200....	.....	.....	....	....	.....	.....
Township 6, range 1 east	83....	30....	1..	.....	....	....	3,243 95	159 32-3
Township 3, range 1 west	33....	.....	.....	.....	....	....	.....	72 94-4
Township 4, range 1 west	103....	87....	2..	.....	....	....	2,006 68	203 47-7
Township 5, range 1 west	61....	40....	2..	.....	....	....	.....	117 90-5
Township 6, range 1 west	134....	63....	3..	1-35	....	....	5,660 00	257 22-6
Township 7, range 1 west	46....	.....	.....	1-24	....	....	.....	88 30-1
Township 3, range 2 west	105....	.....	.....	1-20	....	....	.....	201 55-8
Township 4, range 2 west	169....	115....	4..	.....	....	....	2,235 00	324 41-2
Township 5, range 2 west	214....	116....	5..	1-35	....	....	1,501 12	410 79-4
Township 6, range 2 west	84....	43....	4..	.....	....	....	3,550 00	161 24-5

Township 7, range 2 west	127....	85....	3..	.....	....	....	.....	243 78.9
Township 3, range 3 west	45....	40....	2..	.....	....	....	400 00	86 38.2
Township 4, range 3 west	77....	.....	.....	2-30	....	....	.....	147 80.9
Township 5, range 3 west	111....	25....	1..	.....	....	....	1,000 00	213 07.9
Township 6, range 3 west	98....	62....	3..	.....	....	....	3,905 00	193 87.9
Township 7, range 3 west	71....	45....	3..	.....	....	....	.....	136 29.1
Township 8, range 3 west	24....	.....	.....	1-16	....	....	.....	46 07
Township 3, range 4 west	122....	96....	3..	.....	....	....	5,056 53	234 19.1
Township 4, range 4 west	78....	45....	2..	.....	....	....	.....	149 72.8
Township 5, range 4 west	57....	40....	2..	1-24	....	....	440 50	109 41.7
Township 6, range 4 west	82....	49....	2..	.....	....	....	10 years	157 40.7
Township 7, range 4 west	3....	.....	.....	.....	....	....	.....	.....
Township 13, range 5 east	54....	34....	1..	.....	....	....	2,000 00	103 65.8
Township 14, range 5 east	90....	65....	1..	.....	....	....	5,270 00	172 76.4
Township 15, range 5 east	22....	.....	.....	.....	....	....	.....	42 23.1
	2540....	1560....	47	11-264				$4,876 34.4

GEOLOCAL LETTER OF DOCT. THORNTON.

RANKIN Co., MISSISSIPPI,
January 4th, 1850.

To his Excellency Gov. MATTHEWS,

SIR: Although I have but a slight personal acquaintance with you, I am nevertheless induced on that acquaintance, and from a knowledge, indirectly, of the interest you have taken in the geological examinations that have been made in some portions of our State, to address you on that subject, and respectfully ask that public attention be called to it, as a subject of vast moment to all the citizens, especially the farmers of our State.

I have read, with great pleasure, the occasional notices in the papers, of these examinations, which have been made by yourself and others in Mississippi, most of which go far to confirm me in the opinion, which I have formed, as to the results of investigations, both extensive and minute.

Having had time to attend to it for several years, and having a small cabinet of minerals, well arranged for comparison, I determined, long since, to make such explorations as might satisfy my own mind, concerning the deposits in those parts of the State which I visited. Indeed, I had almost determined to make a special examination of three of our counties adjoining this, and publish the results, but felt afraid that it might interfere with some plan, which, I do sincerely hope, the Legislature will adopt, to have a geological survey of the whole State.

At the instance of several gentlemen, who know the efforts of yourself and others, to induce action on this subject, I call your attention to it, as I am requested to do, not only by them, but by personal friends which have communicated, indirectly at least, with you. I do, sir, most sincerely hope you will not leave the executive chair, without calling the attention of the Legislature to the subject; and I am sure Gen. Quitman will succeed your efforts, to have the mineralogical and geological resources of the State developed, in the only way in which it can be done effectually. You know it must have not only individual effort, but State action. In fact, sir, there has been too little legislation for the farmer. Science fully developed, aids immensely the masses, and especially the farming interests of our country. It not only devel-

opes the agricultural value of our lands, but the mineral resources thereof. East Mississippi, and Madison, Hinds, Warren, Claiborne, and Adams counties, from my own observations would be increased one hundred per cent. in value, if properly surveyed by a geologist.

Apart from the high estimate I entertain of your capability to judge correctly of the necessity for State patronage of every effort of her citizens, individually or collectively, for the promotion of education and the improvement of the sciences, which can alone lead to a developement of her resources and hidden treasures, as well as for her agricultural and manufacturing advancement, I take the liberty to address you, even upon a very slight acquaintance, because I know you to be a practical farmer, who, I have no doubt, is disposed to do all you can, to promote science and assist the laboring classes.

Though absent from the capitol of the State, I have not been altogether idle. The earth has afforded me considerable employment, and an occasional essay, generally, incognito was the result.

This important subject, will, I sincerely trust, enlist your influence with our Legislature, about to convene in Jackson. I have traveled extensively in the southern and some of the eastern counties of our State, and have seen many things to interest the geologist. Fossil remains, petrifactions, phytolites, ictholites, &c., lime and sand-stone, which might be quarried to great advantage. Some of the sand-stone not inferior to that obtained from the quarries in Stratford county, Virginia, of which the pillars in the eastern portico of the capitol of the United States are made.

Inexhaustible hills, banks, and beds of compact, or solid or porous, or soft marl, rich in calcareous matter, and which, with the hard limestone is filled with undecomposed shells of several geological series. There is marl enough of the different varieties in eastern Mississippi, to make the soil as productive and durable as the delta of the Mississippi river, or the richest prairies of the South, if properly applied, and at the same time, residents can enjoy as good health as those occupying mountainous regions. I have discovered that these natural meadows or prairies pass under the hills of lime, rock, marl, sand, and clay, making their appearance again at another place, and are to be found almost anywhere at the depth of from five to one hundred feet. When the overlying deposit of sand and clay is not deep, good water cannot be obtained without going to a considerable distance below, and then guarding against the sepings of the underlying prairie. There is, to me, a mystery about the formation of these prairies, which I think has never been solved by our best geologists. It has generally been the impression that trees will not grow on them. This is althogether a mistake. Fruit and ornamental trees and shrubbery will grow as luxuriantly on them, or more so than other soils; and there is nothing in the nature of the soil, nor too much lime

to prevent their growth; nor have these been destroyed from frequent burnings by the aborigines as was supposed.

In every part of the poorest pine woods region, if we go deep enough, we come to this prairie soil, sometimes rich in calcareous matter; and my own experience has proved, that some portions obtained, at the depth of sixty-six feet, made excellent manure for a garden. Frequently, however, they contain too much magnesia, and a carbonate of lime, similar to chalk, which only becomes a fertilizer, after long exposure to the air and moisture, and when combined with vegetable matter. When these are exposed, they are unproductive, and in the hollows or depressions, after continued rains, succeeded by hot dry spells, they form incrustations of sulphate of lime and alumina, and chloride of soda, etc.

I have understood that there are fossil foot-prints, and I can obtain the bones or skeleton of a huge animal, no doubt of an extinct species or genera.

My investigations and observations have been confined mostly to the surface, as you may well suppose, not being fully prepared for a geological survey. Yet, there cannot be a doubt, but that here hoary Nepturne and hot Pluto, have had a desperate struggle. The evidences of volcanic action are numerous and strong, and the upheaving of many places once submerged, is most apparent.

I have added something to my former collection, and may have an opportunity of laying them before the geological society. In these hills, valleys, and swamps, the botanist may find additions to our floral and medical botany; the mineralogist many specimens to enrich his cabinet, and the conchologist innumerable shells, the truest types, when well set, to explain the transitions of antediluvian ages; and it is not impossible, that many resources and hidden treasures of importance to the State, yet remain to be discovered by the geologist.

I well recollect that Virginia was thought to be poor in mineral resources, and without the means or material to recuperate her exhausted soils, until Prof. Rogers made his first geological survey and report to the legislature, and so it has been with most of the States. The immense coal-fields, marl-beds, &c., were brought to light in Maryland by Prof. Ducatel.

Prof. Mathers, by his geological survey, greatly enhanced the prosperity of Ohio, and a survey is now going on in Kentucky; and many of our sister States have have had and are now, encouraging surveys of this kind; and shall Mississippi, which has taken a stand among her sister States, for energy and bravery in war, industry in peace, and her patronage of institutions for learning, with an overflowing treasury, be inactive? Will her great men and legislators remain indifferent on a subject of such vital importance to her wealth and fame?

It is a theory, the truth of which we cannot doubt, that as we

descend into the earth, the temperature increases until all is in a state of liquification or fusion; and that it is only by an unchangeable law or process in chemistry, that in proportion as evaporation takes place from the surface of a body, that body is cooled, that we are thus furnished with a crust or shell over the earth on which to stand and act. When we seriously reflect that we are only a short days journey from an ocean of fire, it becomes us to be on the alert to investigate our condition, and as far as practicable, the changes which have taken place, and the results of the past upheavings and submergings which have occasioned these changes, and how they may be turned to profit. For this purpose, can a better or more necessary office be created than that of a State geologist, with a moderate annual appropriation, to begin and carry on a geological survey?

Prof. T. C. Thornton and the professors having kindly proffered all the assistance they can give in geological surveys, and the examinations of material in a larboratory. I have been sometimes almost persuaded to commence this vast work myself, by taking a county at a time, believing that the reports of such surveys would go far towards discharging the expenses of such a work, if not sufficient to remunerate me for my time and labor. But my means being limited, I fear to commence without the ability to complete. Moreover, by extending as a base a geological line through the State, and working with reference to it; all the work could be done in a more uniform and less expensive manner. That which tends to the interest of all, ought to be done under legislative action and patronage.

I discovered enough from my limited examinations, to know that a thorough geological survey of Mississippi would add to the actual value of the lands, on the lowest calculation, one hundred per cent. To designate the places where the lime, the building stone, the marl, the gypsum, the iron, would be found of vast importance to our citizens; and I know there are to be found in our State, clays and earths for paints, and many mineral substances, that are not supposed to have an existence in this State. It is, sir, time for action; who shall set this ball in motion? Shall politics and subjects merely local, occupy all the attention of our Legislature, and the great interests of education and science, in times of peace and plenty, when we have abundant means, be laid on the shelf? I hope not! This good work must be done, and it will be done by private and voluntary munificence, if not otherwise. Pressed as I am, to use my efforts for its accomplishment, I authorize the use of this letter or any information, I can impart for the attainment of this desirable object. Indeed, I would have addressed it to the editors of the Mississippian, but that I had understood from others, the interest Gov. Matthews had taken in the establishment of a geological society at the capital of our State.

I have the honor to be, sir, your obedient servant,

JAMES B. C. THORNTON.

AMERICAN ASSOCIATION FOR THE ADVANCEMENT OF SCIENCE.

To the Honorable the Senate and House of Representatives of the State of Mississippi:

GENTLEMEN: At the second meeting of "The American Association for the Advancement of Science," held at Cambridge, in August last, the following resolution, reported by the standing committee, was unanimously adopted:

Resolved, That the American Association, for the advancement of science, cordially approves of the establishment of societies for the developement of geology and natural history of the several States, and that a committee be appointed to memorialize the State governments, which have had no geological surveys, or which have had them suspended, on the importance and necessity of establishing or resuming them.

In accordance with this resolution, the undersigned committee respectfully ask the attention of your honorable body to the object of the memorial.

The importance and necessity of geological surveys have long since been settled in the communities of the old continent; and in our own favored land, wherever the great interests of education have seriously occupied the public mind, the utility of such explorations has been properly appreciated. In many of the States of the Union, partial surveys have been commenced—amounting, in some to a mere reconnoissance of the prominent features of the formations, and in others to more elaborate investigation. Among the latter, New York has set an example of liberality, public spirit and high appreciation of this useful work, worthy of all praise; and in addition to the great local interests which have been developed as the fruits of her bounty, she has the proud satisfaction of having erected a scientific monument in the published reports which may well serve as a model for her sister States. Prof. Hall's work is considered by European geologists as "a standard work on palæontology of so high a character, that it will be equally essential to European and American students."

Massachusetts has done much, and the result have been given in valuable publications, which do honor to the State; but there remain yet to be accomplished objects of large scientific interest, which, no doubt, will be effected. In other States, the published reports may be considered as only preliminary to more extended

and elaborate productions. In several of the States, surveys have been completed, but an unaccountable tardiness exists in giving to the public their valuable fruits.

In relation to the great agricultural interests of the country, the value of geological investigation cannot be too highly estimated. The origin and formation of soils—their fixed and transient properties—their chemical and mechanical composition—their mineral constitutents—the presence of lime—of iron—of magnesia, of elements essential or injurious to vegetation—the means of improving or of correcting their qualities—of adding to or reducing certain constitutents—their adaptation to particular culture—all these are dependant on principles which geology and its associate sciences point out.

In anticipation of having our land overrun in all directions by railroads, such surveys are of lasting importance, and the choice of location may often be influenced to the saving of large amounts of money, by the knowledge of the topographical geology of their proposed course.

To the civil engineer and architect, the knowledge of practical geology is all important, that they may adapt their plans and estimates to the condition of the country in which they are employed, and in the selection of materials present, which, from local circumstances, may be most available, and in many cases more suitable than what may be brought from a distance. It is but recently that the new houses of Parliament of Great Britain have been constructed of a stone which was selected by a geological commission appointed for the purpose, as better adapted than what was in ordinary use, thus applying a new portion of nature's masonry to valuable purposes of architecture.

Our capitol at Washington is a prominent and familiar example of the want of such knowledge and foresight in the selection of a perishable material for its construction. What is it that enables Egypt and Greece and Rome, now to enjoy the sympathy of other nations, but the grandeur of their architectural remains? Fortunately, these great works of antiquity were of durable materials, and instead of crumbling and unmeaning masses of decomposing matter, we have models presenting beauty of design and architectural elegance, as the memorials of perfected skill of a refined people, who enjoyed all the luxuries of improved taste.

In the progress of the mechanic arts, a knowledge of geology contributes largely in furnishing constant materials for their various processes.

In Europe, mining is a special branch of education, and the developement of our extensive mineral resources is rendering geological investigation a matter of necessity, and the want of educated miners is seriously felt. Silver, copper, lead, manganese, zinc, and other ores, exist in abundance in many parts of our land, but skill is essential to appreciate their convertibility to use, and to work them to advantage.

A bare allusion to the inestimable value of iron ores is sufficient to bring to your minds the utility of geological investigation for their discovery and developement. A reference is scarcely necessary to the commercial wealth of those sections of our land which are blessed with the presence of coal, so essential in its application to the useful arts and to the domestic comforts of life. As a source of mineral wealth, its extent is incalculable. Scientific geology has settled with so much precision the boundaries of its local position, that the errors of expending £10,000 and even £20,000, as has happened in Great Britain, for a single experimental search without the aid of geology, will never again occur.

Artesian wells are becoming objects of interest in many sections of the Union, and without geological knowledge, their location is as much a matter of uncertainty as the search after coal.

In an educational point of view, geological surveys are part and parcel of true progress in knowledge, and are calculated to rouse a spirit of inquiry among our people, and to stimulate the young to investigate the phenomena of Nature's work, and their relations in the great economy of the universe. The observation of the results of geological study, requires so extensive an application of other departments of learning, that it may be, in fact, considered as embracing the whole circle of the positive sciences. In all our collegiate institutions, it is now considered a branch of science necessary to every well educated gentleman. Surveys of the several States are of great value to them individually, in comparison with the small amount of expenditure required in effecting them—and as contributing to develope the scientific resources of the whole country are an important consideration.

In conclusion, the committee respectfully, but earnestly, recommends the publication of reports with proper illustrations, as the intimate connection of the associated sciences is such, that plates of the fossils are essential to a proper understanding of the geological results.

The dependence of geology on palæontology, or the history of the ancient beings which inhabited the earth, is so important for its illustration, that zoology must be understood to enable us to elucidate the most valuable results of geological investigation. In laying the foundations of comparative anatomy, the illustrous Cuvier has settled its principles on the bony framework of the whole animal kingdom, and extended them to the restoration of the frames of thousands of forms that once "lived and moved and had their being," in bygone ages. The utility of this knowledge is appreciable when it is remembered, that by the presence of the organic contents of the various strata, they are now recognized and arranged in a geological series. They are identified by their fossils, hence the value of illustrating, for comparison, all such characteristics.

The science of the Union is beginning to be represented. The high position of its representatives is acknowledged and respected

in the older communities, in the seats of learning which have long held supremacy in philosophical investigation. Genius and learning and zeal are now diligently engaged in developing the great truths of science—and the abilities of naturalists are constantly and successfully employed in contributing to their advancement. The scientific character of the several members of the Union, is an object of anxious interest with all, and the association which is here represented, has been established to aid in bringing together and combining the labors of individuals who are widely scattered into an institution that will represent the whole. The purpose of the association being "the advancement of science," the committee represents its earnest hope in praying the State governments, who have suspended or imperfectly carried out geological surveys, to renew them until fully completed, and such as have not yet engaged in them, to have them instituted.

Trusting that your honorable body will appreciate this expression of opinion of the Association, here briefly expressed, we are, with great respect,

Your obedient servants,

ROBT. W. GIBBES, M. D., Columbia, S. C.
E. HITCHCOCK, D. D., President of Amherst Mass. College,
H. D. ROGERS, State Geologist of Pennsylvania,
L. AGASSIZ, Prof. of Geology, Laurence Scientific School, Cambridge.
B. SILLIMAN, Prof. Chemistry and Geology, Yale College.
S. G. MORTON, M. D., Philadelphia.
C. T. JACKSON, M. D., U. S. Geologist, Boston.
J. W. MATTHEWS, Gov. of Mississippi.
G. TROOST, M. D., Prof. Chemistry and Geology, Nashville, Tenn.
W. B. ROGERS, Prof. Natural Philosophy, University of Virginia.
J. HAMILTON COUPER, Darien, Georgia.
T. ROMEYN BECK, M. D., Prof. Mat. Medica, Albany Institute, N. Y.
JOSEPH DELAFIELD, New York.
LEWIS C. BECK, Prof. Chemistry, Rutgers College, New Brunswick, N. J.
JOSEPH HENRY, Secretary of the Smithsonian Institution, Washington.

REPORT OF THE BOARD OF MAJOR GENERALS.

JACKSON, *January* 1, 1850.

His Excellency,

JOSEPH W. MATTHEWS,

Governor of the State of Mississippi:

SIR:—In obedience to an order from general head-quarters, four out of the five Major Generals of the State, detailed by your order to review the present military organization of the State, and to suggest improvements therein, met in pursuance thereof, in the city of Jackson, in the spring of last year. The undersigned was named in your order as the President of the Board, being the senior Major General of the State.

After much deliberation, the Board determined to adjourn to a later day, and on that day no quorum was present.

At the first meeting, however, various views were presented by the undersigned, which met the approval of the Board, and he was desired to draw them up in proper shape for further consideration at the second meeting, which, however, was never held. It was designed, then, to send them to the various members, but this design, for want of time, was never accomplished.

Believing that the following outline meets the expressed views of the Board, it is respectfully submitted to your Excellency.

—

OUTLINE.

1st. There shall be substituted, for the present system of military organization, a new one, composed of companies of volunteer militia in each county; battalions and regiments, formed from such companies, in each division; and, as far as may be practicable, the regulations of the regular army shall be observed, in matters of drill, camp duty, discipline, and military law.

2d. The present divisions of the State may be continued, or any other more convenient arrangement established; and general officers only shall be elected, by the qualified voters at large, as now provided by law.

3d. There shall be an Adjutant General and Quartermaster General stationed at general head-quarters, to be appointed by the Governor; their duties to be similar to those discharged by like officers in the regular army, save that the Adjutant General shall be required, at proper periods, to inspect the troops, and give the officers, especially, military instruction.

4th. The companies within a division shall be formed into a regiment, if not more than ten; if more than ten and not less than

twenty, into two regiments; and any number of companies remaining, after an entire regiment, or more regiments than one are formed in a division, shall be formed into a battalion. The Major and Brigadier Generals of each division shall be a board to designate the companies composing the regiments or battalions in each division, regard being had to the residence of the companies.

5th. Each Major General shall appoint, subject to approval at head-quarters, an Assistant Adjutant General, whose duty it shall be to attend company meetings and drills, for the purpose of instruction in tactics, and also to attend his chief on all proper military occasions.

6th. All regiments and battalions shall elect their own field officers; a regiment to be commanded by a Colonel, Lieutenant Colonel and Major, and a battalion by a Lieutenant Colonel; the regiments and battalion staff to be appointed, as in the regular service.

7th. Seniority of commission shall give command, and determine rank, regard being had to continuous service under successive commissions.

8th. It is proposed, as the two or three principal reasons why volunteer companies have always decayed and disbanded are, that they cannot buy uniforms, procure music, and pay for the care of their arms, and meet the expenses of regular encampments—things all indispensable to their vigor and usefulness; that ways and means be devised sufficient to keep up, in the large counties, two or three companies, and in the smallest at least one; and it is submitted that this may be done by appropriating the poll-tax, and a small commutation in each county—first, to uniforms, which are to be the property of the company, and the procurement of arms, should not the general government supply us; and, after each company is thus equipped, to the yearly expenses of music and the care of arms in park, and to those of a grand division encampment, to be formed annually in some place to be selected by the Major General of each division, varying yearly, if practicable. It is further suggested that stringent means should be adopted to force the collection of such means as may be appropriated to the service, and that the moneys, when collected, shall be paid to a paymaster or treasurer of each company, in proportion to the active men of the different companies reported to the Board of Police by the officers, which board shall distribute the fund among the company paymasters, or pay it to the paymaster of the company, if there be only one. The funds to be collected by the sheriff, and deposited with the county treasurers, to be covered by their bonds. The paymasters of the companies to give sufficient bonds, and to draw money from the county treasurer upon the requisition of the commissioned officer of his company.

9th. All members of volunteer companies shall take an oath faithfully to serve five years, unless honorably discharged, and

faithfully to observe the laws of the State, and the military regulations to be prescribed.

10th. All active members of volunteer companies shall be exempt from road and jury duty.

11th. Provision shall be made for courts martial, for the government and protection of rank and file, as well as commissoined officers.

All which I have the honor to submit, imperfect as it is, for the reasons above mentioned.

J. M. DUFFIELD,
Major General, and Pres't of the Board.

CORRESPONDENCE WITH THE SEC'Y OF THE NAVY.

EXECUTIVE CHAMBER, JACKSON, MISS.,
September 15, 1849.

SIR:—Enclosed you will find the proclamations of Commander Randolph and Lieutenant Totten. If authorized by instructions from your department, you will please furnish me with a copy of the same.

Respectfully, your obedient servant,

J. W. MATTHEWS.

Hon. W. B. PRESTON,
Secretary of the Navy.

NAVY DEPARTMENT,
September 29, 1849.

SIR:—Your letter of the 15th inst., enclosing a newspaper article, headed: "The Round Island Expedition," has been received.

The request made in your letter, that a copy of the instructions under which Commander Randolph and Lieutenant Totten acted, be furnished you, is respectfully declined.

Very respectfully, your obedient servant,

WM. BALLARD PRESTON.

His Excellency,
J. W. MATTHEWS,
Executive Chamber, Jackson, Miss.

RESOLUTIONS OF THE STATE OF VERMONT.

STATE OF VERMONT, EXECUTIVE DEPARTMENT,
Montpelier, November, 13, 1849.

His Excellency the Governor of Mississippi:

SIR:—I have the honor to transmit to you the accompanying resolutions, relating to the subject of slavery, recently adopted by the General Assembly of this State, to the end that your excellency may cause them to be laid before the Legislature of the State over which you preside.

I have the honor to be, with considerations of high respect, your obedient servant,

CARLOS COOLIDGE,
Governor.

By the Governor:
GEORGE F. HOUGHTON, *Secretary.*

RESOLUTIONS RELATING TO THE SUBJECT OF SLAVERY.

Resolved by the Senate and House of Representatives, That slavery is a crime against humanity, and a sore evil in the body politic, that was excused by the framers of the federal constitution as a crime entailed upon the country by their predecessors, and tolerated solely as a thing of inexorable necessity.

Resolved, That the so called "compromises of the constitution" restrained the federal government from interference with slavery only in the States in which it then existed, and from interference with the slave trade only for a limited time, which has long since expired; and that the powers conferred upon Congress by the constitution to suppress the slave trade, to regulate commerce between the States, to govern the territories, and to admit new States—powers conferred with an express intention "to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity"—may all rightfully be used so as to prevent the extension of slavery into territory now free, and to abolish slavery and the slave trade wherever either exists under the jurisdiction of Congress.

Resolved, That our Senators and Representatives in Congress be requested to resist, by all and every constitutional means, the extension of slavery in any manner, whether by the annexation to slaveholding Texas of territory now free, or by the admission to the Union of territory already acquired, or which may be hereafter acquired, without an express prohibition of slavery, either in the constitution of each new State asking admission, or in the act of Congress providing for such admission.

Resolved, further, That our Senators and Representatives in Congress be requested to support every just and prudent measure for the exclusion of slavery from the District of Columbia; for the entire suppression of the slave trade on the high seas, and wherever else Congress has jurisdiction; and generally to relieve the federal government from all responsibility for the existence, maintenance, or tolerance of slavery, or the traffic in slaves.

Resolved, further, That our Senators in Congress be instructed, and our Representatives requested, to use their exertions for the speedy organization of a territorial government for New Mexico and California, with a provision forever excluding involuntary servitude, except for crime, therefrom.

Resolved, That the Governor be requested to furnish a copy of the foregoing resolutions to each of our Senators and Representatives in Congress, and to the Governor of each State in the Union.

Approved, November 12th, 1849.

STATE OF VERMONT, SECRETARY OF STATE'S OFFICE,
Montpelier, November 14, 1849.

I hereby certify that the foregoing are correct copies of resolutions on file in this office. F. F. MERRILL, *Sec' of State.*

RESOLUTIONS OF THE STATE OF OHIO,

RELATIVE TO THE ACQUISITION AND CONTROL OF FOREIGN TERRITORY BY THE UNITED STATES.

Resolved by the General Assembly of the State of Ohio, That, whatever difference of opinion may exist as to the power of Congress to prohibit the formation of slave States out of territory belonging to the federal government, and entitled to admission into the Union, there cannot be any rational ground for such difference of opinion as to territory that may be hereafter obtained by conquest or by purchase; that foreign territory, purchased by the national treasure, or conquered by the national army, is, and in the nature of the case must be, subject to national control, to be occupied only upon such conditions, and governed by such institutions, as the national will may dictate.

Resolved, That the present war with Mexico was neither sought nor advised by the State of Ohio; and, while its ends and results are, and have been, beyond her control or foresight, her citizens have been with the national flag, and have attested their devotion to it on many fields and through divers perils; that the State of Ohio neither seeks nor advises the acquisition of further territory, by conquest or by purchase, nor is the power of shaping the national policy in her hands; but she hereby protests, by every drop of blood that has been spilt by her citizens—by every flag that has been unrolled from her borders—by the spirit of her sisterhood with the American States—that any territory, acquired either by purchase or by conquest, as the result of this war, shall be national territory; and the State of Ohio must be heard, and will have a share in determining the character of the institutions by which such territory shall be governed.

Resolved, That the Governor be directed to transmit a copy of these resolutions to our Representatives and Senators in Congress, and to the Governors of the several States of the Union.

JOSEPH S. HAWKINS, *Speaker, H. of Rep.*
CHARLES B. GODDARD, *Speaker of Senate.*

FEBRUARY 24, 1848.

RESOLUTION,

DECLARING THAT SO MUCH OF THE ORDINANCE OF 1787 AS RELATES TO SLAVERY, SHOULD BE EXTENDED TO THE TERRITORY ACQUIRED FROM MEXICO.

Resolved by the General Assembly of the State of Ohio, That the provisions of the ordinance of Congress of one thousand seven hundred and eighty-seven, so far as the same relates to slavery, should be extended to any territory that may be acquired from Mexico by treaty or othewise.

JOSEPH S. HAWKINS, *Speaker, H. of Rep.*
CHARLES B. GODDARD, *Speaker of Senate.*

FEBRUVRY 25, 1848.

A list containing the parts of sections of land taken up by pre- of the 500,000 acres of land donated to the State of Missis- ternal Improvement," approved February 22, 1848.

Names of the Purchasers.	No. of Treas'r's Receipt.	Parts of Sections.	Section.	T'ns'hip	Range.	No. of Acres.
Smith Still.....	1	Lots 4 and 5....	1	18	4 W.	103.43
Francis Johnson..	2	Southeast quarter	32	20	4 W.	160.95
C. Hollingsworth.	3	Lots 9 and 10...	9	19	1 E.	82.00
John Huffman....	4	Lots 9 and 10..	8	19	1 E.	76.00
Finsher G. Bobo..	5	Lots 3, 4, 5 and 6	35	27	4 W.	160.80
Robert Thomas...	6	Southwest quar.	32	19	4 W.	161.12
K. C. Wilkinson..	7	Lots 9, 10 and 11	4	19	1 E.	145.00
Riley Yarbra.....	8	Lots 3 and 6....	2	19	1 E.	60.00
Louis Littlebridge.	9	Lots 1, 2, 7, & 8	26	23	1 W.	169.60
Perry S. Marshall.	10	Lots 8, 9 & 13..	9	19	4 W.	135.16
Martha G. Ray...	11	Southeast quarter	34	19	1 E.	160.56
Ophelia C. Wilford	12	Southwest quar.	12	19	" "	160.14
William W. Davis.	13	Northeast quar.	35	19	" "	159.47
John B. Ray.....	14	Southwest quar.	34	19	" "	160.56
John C. Hicks....	15	Lots 1, 2, 7 & 8	23	18	1 W.	175.24
B. G. Humphries..	16	Lot 7.....	20	19	" "	50,00
Do Do	17	Lots 8 and 13...	20	19	" "	85.50
John D. Wyatt ...	18	Northeast quar..	14	17	" "	160.17
B. G. Humphries.	19	Northwest quar.	28	19	" "	160.10
McLeod & Murdock	20	Lots 10, 11, 12, 13	31	19	1 E.	176.20
Duncan McLeod..	21	Lots 8, 9, 14, 15	30	19	" "	185.67
Joel H. Pate.....	22	Northeast quar.	18	19	" "	174.92
James Collins.....	23	Lots 12 and 13..	4	19	" "	72.00
William B. Prince.	24	Northeast quar..	9	17	1 W.	160.78
Do Do...	25	Southeast quarter	9	17	" "	160.78
Morgan McAffee..	26	Lots 8 and 11..	34	17	" "	121.00
James Collins.....	27	Lots 1, 2, 7 and 8	9	19	1 E.	159.68
Alfred Murdock...	28	Lots 2, 7 and 8.	11	18	1 W.	130.98
Do Do ..	29	Lots 5 and 6....	12	18	" "	37.00
William B. Ball...	30	Northeast quar..	35	18	2 W.	159.98
James Matthews ..	31	Northeast quar..	18	27	3 W.	143.96
John Clark.....	32	Lots 8 and 14..	14	27	4 W.	79.68
William Morris...	33	Southwest quar.	22	29	" "	160.00
John D. Wyatt....	34	E half of S.W. qr	14	17	1 W.	80.09
Do Do ..	35	Lots 12 and 13..	13	17	" "	80.10
F. B. Ragsdale...	36	Lots 8, 11 and 12	2	18	" "	131.51
C. S. Morris.....	37	Southwest quar.	14	13	4 W.	160.10
						4,900.23

emptors, and sold in conformity to "An act to provide for the sale sippi, by the Congress of the United States, for purposes of In-

Rate per Acre.	Specie.	Bonds.	Coupons.	Total.
$ 2 50	$ 258 57½	.....	.....	$ 258 57½
2 50	402 37½	.....	.....	402 37½
2 50	205 00	.....	.....	205 00
2 50	190 00	.....	.....	190 00
2 50	12 00	.....	390 00	402 00
2 50	402 80	.....	.....	402 80
2 50	362 50	.....	.....	362 50
2 50	150 00	.....	.....	150 00
2 50	424 00	.....	.....	424 00
2 50	337 90	.....	.....	337 90
2 50	.....	401 40	.....	401 40
2 50	.....	400 35	.....	400 35
2 50	43	198 25	200 00	398 68
2 50	11 40	.....	390 00	401 40
2 50	.....	438 10	.....	438 10
6 00	.....	300 00	.....	300 00
6 00	.....	513 00	.....	513 00
6 00	.....	461 02	500 00	961 02
6 00	.....	460 60	500 00	960 60
6 00	.....	557 20	500 00	1057 20
6 00	.....	1114 02	.....	1114 02
6 00	.....	579 52	470 00	1049 52
6 00	.....	432 00	.....	432 00
6 00	.....	494 68	470 00	964 68
6 00	.....	494 68	470 00	964 68
6 00	.....	726 00	.....	726 00
6 00	.....	488 08	470 00	958 08
6 00	.....	315 88	470 00	785 88
6 00	.....	222 00	.....	222 00
6 00	.....	959 88	.....	959 88
6 00	.....	393 76	470 00	863 76
6 00	.....	478 08	.....	478 08
6 00	2 50	497 50	460 00	960 00
6 00	.....	480 54	.....	480 54
6 00	.....	480 60	.....	480 60
6 00	5 20	38 86	745 00	789 06
6 00	.....	960 60	.....	960 60
	$ 2,764 68	$ 12,886 60	$ 6,505 00	$ 22,156 28

A list containing the parts of sections of land leased by pre-emptors at two dollars and fifty cents, and others at six dollars per acre, in conformity to "An act to provide for the leasing of the Chickasaw School land," approved February 23, 1848.

Names of Purchasers.	No. of Audit'rs Receipt Warr'nt	Parts of Sections.	Section.	Town's'p.	Range.	No. of Acres.	Rate per Acre.	Amount.
Joshua L. Champion.....		East half of northwest quarter...	26	29	3 W.	79.71	$ 2 50	$ 199 27½
Jacob Magee.....	113	Lots 3, 4, 5 & 6, of northwest' quar	23	30	" "	159.86	2 50	399 65
Daniel Connell.....	115	Lots 9, 10, 15 and 16.....	23	30	" "	159.28	2 50	398 20
Susan Brown.....	116	Southwest quarter.....	25	30	" "	160.24	6 00	961 44
Miles Hill McGehee.....	117	Lots 9, 10, 11 and 12.....	14	24	8 "	160.48	6 00	962 88
Isaac S. Wilkinson.....	118	Northwest quarter.....	10	24	7 "	158.10	6 00	948 60
Spencer A. Bobo	119	Lots 1, 2 and 7.....	26	27	4 "	107.21	6 00	643 26
						984.88		4,513 30½

The Address of Southern Delegates in Congress, to their Constituents.

We, whose names are hereunto annexed, address you in discharge of what we believe to be a solemn duty, on the most important subject ever presented for your consideration. We allude to the conflict between the two great sections of the Union, growing out of the difference of feeling and opinion in reference to the relation existing between the two races, the European and African, which inhabit the Southern section, and the acts of aggression and encroachment to which it has led.

The conflict commenced not long after the acknowledgment of our independence, and has gradually increased until it has arrayed the great body of the North against the South on this most vital subject. In the progress of this conflict, aggression has followed aggression, and encroachment encroachment, until they have reached a point when a regard for your peace and safety will not permit us to remain longer silent. The object of this address is to give you a clear, correct, but brief account of the whole series of aggression and encroachments on your rights, with a statement of the dangers to which they expose you. Our object in making it, is not to cause excitement, but to put you in full possession of all the facts and circumstances necessary to a full and just conception of a deep-seated disease, which threatens great danger to you and the whole body politic. We act on the impression that in a popular government like ours, a true conception of the actual character and state of a disease is indispensable to effecting a cure.

We have made it a joint address, because we believe that the magnitude of the subject required that it should assume the most impressive and solemn form.

Not to go further back, the difference of opinion and feeling in reference to the relation between the two races, disclosed itself in the Convention that framed the Constitution, and constituted one of the greatest difficulties in forming it. After many efforts, it was overcome by a compromise, which provided in the first place, that Representatives and direct taxes shall be apportioned among the States according to their respective numbers; and that, in ascertaining the number of each, five slaves shall be estimated as three. In the next, that slaves escaping into States where slavery does not exist, shall not be discharged from servitude, but shall be delivered up on claim of the party to whom their labor or service is due. In

the third place, that Congress shall not prohibit the importation of slaves before the year 1808; but a tax not exceeding ten dollars may be imposed on each imported. And finally, that no capitation or direct tax shall be laid, but in proportion to federal numbers; and that no amendment of the Constitution, prior to 1808, shall affect this provision, nor that relating to the importation of slaves.

So satisfactory were these provisions, that the second, relative to the delivering up of fugitive slaves, was adopted unanimously, and all the rest, except the third, relative to the importation of slaves until 1808, with almost equal unanimity. They recognize the existence of slavery, and make a specific provision for its protection where it was supposed to be most exposed. They go further, and incorporate it, as an important element, in determining the relative weight of the several States in the Government of the Union, and the respective burden they should bear in laying capitation and direct taxes. It was well understood at the time, that without them the constitution would not have been adopted by the Southern States, and of course that they constituted elements so essential to the system that it never would have existed without them. The Northern States, knowing all this, ratified the constitution, thereby pledging their faith, in the most solemn manner, sacredly to observe them. How that faith has been kept, and that pledge redeemed, we shall next proceed to show.

With few exceptions of no great importance, the South had no cause to complain prior to the year 1819—a year, it is to be feared, destined to mark a train of events, bringing with them many, and great, and fatal disasters, on the country and its institutions. With it commenced the agitating debate on the question of the admission of Missouri into the Union. We shall pass by for the present this question, and others of the same kind, directly growing out of it, and shall proceed to consider the effects of that spirit of discord, which it roused up between the two sections. It first disclosed itself in the North, by hostility to that portion of the constitution which provides for the delivering up of fugitive slaves. In its progress it led to the adoption of hostile acts, intended to render it of non-effect, and with so much success, that it may be regarded now as practically expunged from the constitution. How this has been effected, will be next explained.

After a careful examination, truth constrains us to say, that it has been by a clear and palpable evasion of the constitution. It is impossible for any provision to be more free from ambiguity or doubt. It is in the following words: "No person held to service, or labor, in one State, under the laws thereof, escaping into another State, shall, in consequence of any law or regulation therein, be dischaged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due." All is clear. There is not an uncertain or equivocal word to be found in the whole provision. What shall not be done, and what shall be done,

are fully and explicitly set forth. The former provides that the fugitive slave shall not be discharged from his servitude by any law or regulation of the State wherein he is found; and the latter, that he shall be delivered up on claim of his owner.

We do not deem it necessary to undertake to refute the sophistry and subterfuges by which so plain a provision of the constitution has been evaded, and, in effect, annulled. It constitutes an essential part of the constitutional compact, and of course, of the supreme law of the land. As such it is binding on all, the Federal and State Governments, the States and the individuals composing them. The sacred obligation of compact, and the solemn injunction of the supreme law, which legislators and judges, both Federal and State, are bound by oath to support, all unite to enforce its fulfilment, according to its plain meaning and true intent. What that meaning and intent are, there was no diversity of opinion in the better days of the Republic, prior to 1819. Congress, State Legislatures, State and Federal Judges and Magistrates, and people, all spontaneously placed the same interpretation on it. During that period, none interposed impediments in the way of the owner seeking to recover his fugitive slave; nor did any deny his right to have every proper facility to enforce his claim to have him delivered up. It was then nearly as easy to recover one found in a Northern State, as one found in a neighboring Southern State. But this has passed away, and the provision is defunct, except, perhaps, in two States.*

When we take into consideration the importance and clearness of this provision, the evasion by which it has been set aside, may fairly be regarded as one of the most fatal blows ever received by the South and the Union. This cannot be more concisely and correctly stated, than it has been by two of the learned judges of the Supreme Court of the United States. In one of his decisions† Judge Story said: "Historically it is well known that the object of this clause was to secure to the citizens of the slaveholding States the complete r ght and title of ownership in their slaves, as property, in every State of the Union, into which they might escape, from the State wherein they were held in servitude." "The full recognition of this right and title was indispensable to the security of this species of property, in all the slaveholding States, and, indeed, was so vital to the preservation of their interests and institutions, that it cannot be doubted, that it constituted a fundamental article without the adoption of which the Union would not have been formed. Its true design was to guard against the doctrines and principles prevalent in the non-slaveholding States, by preventing them from intermeddling with, or restricting, or abolishing the rights of the owners of slaves."

Again. "The clause was therefore of the last importance to the

*Indiana and Illinois.

†The case of Prigg *vs.* the Commonwealth of Pennsylvania.

safety and security of the Southern States, and could not be surrendered by them without endangering their whole property in slaves. The clause was accordingly adopted in the constitution by the unanimous consent of the framers of it—a proof at once of its intrinsic and practical necessity."

Again. "The clause manifestly contemplates the existence of a positive unqualified right on the part of the owner of the slave, which no State law or regulation can in any way regulate, control, qualify, or restrain."

The opinion of the other learned judge was not less emphatic as to the importance of this provision, and the unquestionable right of the South under it. Judge Baldwin, in charging the jury, said :* "If there are any rights of property which can be enforced, if one citizen have any rights of property which are inviolable under the protection of the supreme law of the State, and the Union, they are those which have been set at nought by some of these defendants. As the owner of property, which he had a perfect right to possess, protect, and take away—as a citizen of a sister State, entitled to all the privileges and immunities of citizens of any other States—Mr. Johnson stands before you on ground which cannot be taken from under him—it is the same ground on which the Government itself is based. If the defendants can be justified, we have no longer law or government." Again, after referring more particularly to the provision for delivering up fugitive slaves, he said: "Thus you see, that the foundations of the government are laid, and rest on the right of property in slaves. The whole structure must fall by disturbing the corner-stone."

These are grave, and solemn, and admonitory words, from a high source. They confirm all for which the South has ever contended, as to the clearness, importance, and fundamental character of this provision, and the disastrous consequences which would inevitably follow from its violation. But in spite of these solemn warnings, the violation then commenced, and which they were intended to rebuke, has been fully and perfectly consummated. The citizens of the South, in their attempt to recover their slaves, now meet, instead of aid and co-operation, resistance in every form; resistance from hostile acts of legislation, intended to baffle and defeat their claims by all sorts of devices, and by interposing every description of impediment—resistance from judges and magistrates —and finally, when all these fail, from mobs, composed of whites and blacks, which, by threats or force, rescue the fugitive slave from the possession of his rightful owner. The attempt to recover a slave, in most of the Northern States, cannot now be made without the hazard of insult, heavy pecuniary loss, imprisonment, and even of life itself. Already has a worthy citizen of Maryland lost

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*The case of Johnson *vs.* Tompkins and others.

his life* in making an attempt to enforce his claim to a fugitive slave under this provision.

But a provision of the constitution may be violated indirectly as well as directly; by doing an act in its nature inconsistent with that which is enjoined to be done. Of this form of violation, there is a striking instance connected with the provision under consideration. We allude to secret combinations which are believed to exist in many of the Northern States, whose object is to entice, decoy, entrap, inveigle and seduce slaves to escape from their owners, and to pass them secretly and rapidly, by means organized for the purpose, into Canada, where they will be beyond the reach of the provision. That to entice a slave, by whatever artifice, to abscond from his owner, into a non-slaveholding State, with the intention to place him beyond the reach of the provision, or prevent his recovery, by concealment or otherwise, is as completely repugnant to it, as its open violation would be, is too clear to admit of doubt, or to require illustration. And yet, as repugnant as these combinations are to the true intent of the provision, it is believed, that, with the above exception, not one of the States, within whose limits they exist, has adopted any measure to suppress them, or to punish those by whose agency the object for which they were formed is carried into execution. On the contrary, they have looked on, and witnessed with indifference, if not with secret approbation, a great number of slaves enticed from their owners, and placed beyond the possibility of recovery, to the great annoyance and heavy pecuniary loss of the bordering Southern States.

When we take into consideration the great importance of this provision, the absence of all uncertainty as to its true meaning and intent, the many guards by which it is surrounded to protect and enforce it, and then reflect how completely the object for which it was inserted in the constitution is defeated by these two-fold infractions, we doubt, taking all together, whether a more flagrant breach of faith is to be found on record. We know the language we have used is strong, but it is not less true than strong.

There remains to be noticed another class of aggressive acts of a kindred character, but instead of striking at an express and specific provision of the constitution, aims directly at destroying the relation between the two races at the South, by means subversive in their tendency of one of the ends for which the constitution was established. We refer to the systematic agitation of the question by the abolitionists, which, commencing about 1835, is still continued in all possible forms. Their avowed intention is to bring about a state of things that will force emancipation on the South. To unite the North in fixed hostility to slavery in the South, and to excite discontent among the slaves with their condition, are among the means employed to effect it. With a view to bring about the form

*Mr. Kennedy, of Hagerstown, Maryland.

er, every means are resorted to in order to render the South, and the relation between the two races there, odious and hateful to the North. For this purpose, societies and newspapers are everywhere established, debating clubs opened, lecturers employed, pamphlets and other publications, pictures and petitions to Congress, resorted to, and directed to that single point, regardless of truth or decency; while the circulation of incendiary publications in the South, the agitation of the subject of abolition in Congress, and the employment of emissaries are relied on to excite discontent among the slaves. This agitation, and the use of these means, have been continued with more or less activity for a series of years, not without doing much towards effecting the object intended. We regard both object and means to be aggressive and dangerous to the rights of the South, and subversive, as stated, of one of the ends for which the constitution was established. Slavery is a domestic institution. It belongs to the States, each for itself to decide, whether it shall be established or not; and if it be established, whether it should be abolished or not. Such being the clear and unquestionable right of the States, it follows necessarily, that it would be a flagrant act of aggression on a State, destructive of its rights, and subversive of its independence, for the Federal Government, or one or more States, or their people, to undertake to force on it the emancipation of its slaves. But it is a sound maxim in politics, as well as law and morals, that no one has a right to do that indirectly which he cannot do directly, and it may be added with equal truth, to aid, or abet, or countenance another in doing it. And yet, the abolitionists of the North, openly avowing their intention, and resorting to the most efficient means for the purpose, have been attempting to bring about a state of things to force the Southern States to emancipate their slaves, without any act on the part of any Northern State to arrest or suppress the means by which they propose to accomplish it. They have been permitted to pursue their object and to use whatever means they please, if without aid or countenance, also without resistance or disapprobation. What gives a deeper shade to the whole affair, is the fact, that one of the means to effect their object, that of exciting discontent among our slaves, tends directly to subvert what its preamble declares to be one of the ends for which the constitution was ordained and established: "to ensure domestic tranquility," and that in the only way in which domestic tranquility is likely ever to be disturbed in the South. Certain it is, that an agitation so systematic—having such an object in view, and sought to be carried into execution by such means—would, between independent nations, constitute just cause of remonstrance by the party against which the aggression was directed, and, if not heeded, an appeal to arms for redress. Such being the case where an aggression of the kind takes place among independent nations, how much more aggravated must it be between confederated States, where the Union precludes an appeal to arms, while it affords a medium

through which it can operate with vastly increased force and effect? That it would be perverted to such a use, never entered into the imagination of the generation which formed and adopted the constitution, and, if it had been supposed it would, it is certain that the South never would have adopted it.

We now return to the question of the admission of Missouri into the Union, and shall proceed to give a brief sketch of the occurrences connected with it, and the consequences to which it has directly led. In the latter part of 1819, the then Territory of Missouri applied to Congress, in the usual form, for leave to form a State constitution and government, in order to be admitted into the Union. A bill was reported for the purpose, with the usual provisions in such cases. Amendments were offered, having for their object to make it a condition of her admission, that her constitution should have a provision to prohibit slavery. This brought on the agitating debate, which, with the effects that followed, has done so much to alienate the South and North, and endanger our political institutions. Those who objected to the amendments, rested their opposition on the high grounds of the right of self-government. They claimed that a territory, having reached the period when it is proper for it to form a constitution and government for itself, becomes fully vested with all the rights of self-government; and that even the condition imposed on it by the Federal constitution, relates not to the formation of its constitution and government, but its admission into the Union. For that purpose, it provides as a condition, that the government must be Republican.

They claimed that Congress has no right to add to this condition, and that to assume it, would be tantamount to the assumption of the right to make its entire constitution and government; as no limitation could be imposed, as to the extent of the right, if it be admitted that it exists at all. Those who supported the amendment, denied these grounds, and claimed the right of Congress to impose, at discretion, what conditions it pleased. In this agitating debate, the two sections stood arrayed against each other; the South in favor of the bill without amendment, and the North opposed to it without it. The debate and agitation continued until the session was well advanced; but it became apparent, towards its close, that the people of Missouri were fixed and resolved in their opposition to the proposed condition, and that they would certainly reject it, and adopt a constitution without it, should the bill pass with the condition. Such being the case, it required no great effort of mind to perceive, that Missouri, once in possession of a constitution and government, not simply on paper, but with legislators elected, and officers appointed, to carry them into effect, the grave questions would be presented, whether she was of right a Territory or State; and, if the latter, whether Congress had the right, and, if the right, the power, to abrogate her constitution, disperse her Legislature, and to remand her back to the territorial condition. These were great, and,

under the circumstances, fearful questions—too fearful to be met by those who had raised the agitation. From that time the only question was, how to escape from the difficulty. Fortunantely, a means was afforded. A compromise (as it was called) was offered, based on the terms, that the North should cease to oppose the admission of Missouri on the grounds for which the South contended, and that the provisions of the Ordinance of 1787, for the government of the Northwestern Territory, should be applied to all the territory acquired by the United States from France under the treaty of Louisiana, lying north of 36 30, except the portion lying in the State of Missouri. The Northern members embraced it; and, although not originating with them, adopted it as their own. It was forced through Congress by the almost united votes of the North, against a minority consisting almost entirely of members from the Southern States.

Such was the termination of this, the first conflict under the constitution, between the two sections, in reference to slavery in connection with the territories. Many hailed it as a permanent and final adjustment that would prevent the recurrence of similar conflicts; but others, less sanguine, took the opposite and more gloomy view, regarding it as the precursor of a train of events which might rend the Union asunder, and prostrate our political system. One of these was the experienced and sagacious Jefferson. Thus far, time would seem to favor his forebodings. May a returning sense of justice, and a protecting Provideuce, avert their final fulfilment.

For many years the subject of slavery in reference to the territories ceased to agitate the country. Indications, however, connected with the question of annexing Texas, showed clearly that it was ready to break out again, with redoubled violence, on some future occasion. The difference in the case of Texas was adjusted by extending the Missouri Compromise line of 36 30, from its terminus, on the western boundary of the Louisiana purchase, to the western boundary of Texas. The agitation again ceased for a short period.

The war with Mexico soon followed, and that terminated in the acquisition of New Mexico and Upper California, embracing an area equal to about one-half of the entire valley of the Mississippi. If to this we add the portion of Oregon acknowledged to be ours by the recent treaty with England, our whole territory on the Pacific and west of the Rocky mountains, will be found to be in extent but little less than that vast valley. The near prospect of so great an addition, rekindled the excitement between the North and South in reference to slavery in its connection with the territories, which has become, since those on the Pacific were acquired, more universal and intense than ever.

The effects have been to widen the difference between the two sections, and to give a more determined and hostile character to

their conflict. The North no longer respects the Missouri compromise line, although adopted by their almost unanimous vote. Instead of compromise, they avow that their determination is to exclude slavery from all the territories of the United States, acquired, or to be acquired; and, of course, to prevent the citizens of the Southern States from emigrating with their property in slaves into any of them. Their object, they allege, is to prevent the extension of slavery, and ours to extend it, thus making the issue between them and us to be the naked question, shall slavery be extended or not? We do not deem it necessary, looking to the object of this address, to examine the question so fully discussed at the last session, whether Congress has the right to exclude the citizens of the South from immigrating with their property into the territories belonging to the confederated States of the Union. What we propose in this connection is, to make a few remarks on what the North alleges, erroneously, to be the issue between us and them.

So far from maintaining the doctrine which the issue implies, we hold that the Federal Government has no right to extend or restrict slavery, no more than to establish or abolish it; nor has it any right whatever, to distinguish between the domestic institutions of one State, or section, and another, in order to favor the one and discourage the other. As the federal representatives of each and all the States, it is bound to deal out, within the sphere of its powers, equal and exact justice and favor to all. To act otherwise, to undertake to discriminate between the domestic institutions of one and another, would be to act in total subversion of the end for which it was established—to be the common protector and guardian of all. Entertaining these opinions, we ask not, as the North alleges we do, for the extension of slavery. That would make a discrimination in our favor, as unjust and unconstitutional as the discrimination they ask against us in their favor. It is not for them, nor for the Federal Government to determine, whether our domestic institution is good or bad; or whether it should be repressed or preserved. It belongs to us, and us only, to decide such questions. What, then, we do insist on, is, not to extend slavery, but that we shall not be prohibited from immigrating, with our property, into the territories of the United States, because we are slaveholders; or, in other words, that we shall not, on that account, be disfranchised of a privilege possessed by all others, citizens and foreigners, without discrimination as to character, profession, or color. All, whether savage, barbarian, or civilized, may freely enter and remain, we only being excluded.

We rest our claim, not only on the high grounds above stated, but also on the solid foundation of right, justice and equality. The territories immediately in controversy—New Mexico and California—were acquired by the common sacrifice and efforts of all the States, towards which the South contributed far more than her full

share of men,* to say nothing of money, and is, of course, on every principle of right, justice, fairness, and equality, entitled to participate fully in the benefits to be derived from their acquisition.—But as impregnable as is this ground, there is another not less so. Ours is a Federal Government—a Government in which, not individuals, but States, as distinct sovereign communities, are the constituents. To them, as members of the Federal Union, the territories belong; and they are hence declared to be territories belonging to the United States. The States then are the joint owners: Now it is conceded by all writers on the subject, that in all such Governments their members are all equal—equal in rights and equal in dignity. They also concede that this equality constitutes the basis of such Government, and that it cannot be destroyed without changing their nature and character. To deprive, then, the Southern States and their citizens of their full share in Territories declared to belong to them, in common with the other States, would be in derogation of the equality belonging to them as members of a Federal Union, and sink them, from being equals, into a subordinate and dependent condition. Such are the solid and impregnable grounds on which we rest our demand to an equal participation in the territories.

But as solid and impregnable as they are in the eyes of justice and reason, they oppose a feeble resistance to a majority, determined to engross the whole. At the last session of Congress, a bill was passed, establishing a territorial government for Oregon, excluding slavery therefrom. The President gave his sanction to the bill, and sent a special message to Congress assigning his reasons for doing so. These reasons pre-supposed that the Missouri compromise was to be, and would be, extended west of the Rocky Mountains, to the Pacific ocean. And the President intimated his intention in his message to veto any future bill that should restrict slavery south of the line of that compromise. Assuming it to have been the purpose and intention of the North to extend the Missouri compromise line as

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*Total number of volunteers from the South—Regiments....33
Battalions....14
Companies...120

Total number of volunteers from the South, 45,640
Total number of volunteers from the North—Regiments....22
Battalions.....2
Companies.....12

Total number of volunteers from the North, 23,084

Being nearly two on the part of the South to one on the part of the North. But taking into consideration that the population of the North is two-thirds greater than the South, the latter has furnished more than three times her due proportion of volunteers.

above indicated, the passage of the Oregon bill could only be regarded as evincing the acquiescence of the South in that line. But the developments of the present session of Congress have made it manifest to all, that no such purpose or intention now exists with the North to any considerable extent. Of the truth of this, we have ample evidence in what has occurred already in the House of Representatives, where the popular feelings are soonest and most intensely felt.

Although Congress has been in session but little more than one month, a greater number of measures of an aggressive character have been introduced and they more aggravated and dangerous, than have been for years before. And what clearly discloses whence they take their origin, is the fact, that they all relate to the territorial aspect of the subject of slavery, or some other of a nature and character intimately connected with it.

The first of this series of aggressions is a resolution introduced by a member from Massachusetts, the object of which is to repeal all acts, or parts of acts which recognise the existence of slavery, or authorise the selling and disposing of slaves in this District. On question of leave to bring in a bill, the votes stood 69 for and 82 against leave. The next was a resolution offered by a member from Ohio, instructing the Committee on Territories to report forthwith bills for excluding slavery from California and New Mexico.* It passed by a vote of 107 to 80. That was followed by a bill introduced by another member from Ohio, to take the votes of the inhabitants of this District, on the question whether slavery within its limits should be abolished.

The bill provided, according to the admission of the mover, that free negroes and slaves should vote. On the question to lay the bill on the table, the votes stood, for 106, against 79. To this succeeded the resolution of a member from New York, in the following words: "Whereas the traffic now prosecuted in this metropolis of the Republic in human beings, as chattels, is contrary to natural justice and the fundamental principles of our political system, and is notoriously a reproach to our country, throughout Christendom, and a serious hindrance to the progress of republican liberty among the nations of the earth. Therefore,

"*Resolved*, That the committee for the District of Columbia be instructed to report a bill, as soon as practicable, prohibiting the slave trade in said District." On the question of adopting the resolution, the votes stood 98 for, and 88 against. He was followed by a member from Illinois, who offered a resolution for abolishing slavery in the Territories, and all places where Congress has exclusive powers of legislation, that is, in all forts, magazines, arsenals, dock-yards, and other needful buildings, purchased by Congress with the consent of the legislature of the State.

*Since reported to the House.

This resolution was passed over under the rules of the House without being put to vote.

The votes in favor of all these measures were confined to the members from the Northern States. True, there are some patriotic members from that section who voted against all of them, and whose high sense of justice is duly appreciated; who in the progress of the aggressions upon the South have, by their votes, sustained the guarantees of the constitution, and of whom we regret to say many have been sacrificed at home by their patriotic course.

We have now brought to a close a narrative of the series of acts of aggression and encroachment, connected with the subject of this address, including those that are consummated and those still in progress. They are numerous, great and dangerous, and threaten with destruction the greatest and most vital of all the interests and institutions of the South. Indeed it may be doubted whether there is a single provision, stipulation, or guaranty of the Constitution, intended for the security of the South, that has not been rendered almost perfectly nugatory. It may even be made a serious question, whether the encroachments already made, without the aid of any other, would not, if permitted to operate unchecked, end in emancipation, and that at no distant day. But be that as it may, it hardly admits of a doubt that, if the aggressions already commenced in the House, and now in progress, should be consummated, such in the end would certainly be the consequence.

Little, in truth, would be left to be done after we have been excluded from all the territories, including those to be hereafter acquired; after slavery is abolished in this District and in the numerous places dispersed all over the South, where Congress has the exclusive right of legislation, and after the other measures proposed are consummated. Every outpost and barrier would be carried, and nothing would be left but to finish the work of abolition at pleasure in the States themselves. This District, and all places over which Congress has exclusive power of legislation, would be asylums for fugitive slaves, where, as soon as they placed their feet, they would become, according to the doctrines of our Northern assailants, free, unless there should be some positive enactments to prevent it.

Under such a state of things the probability is, that emancipation would soon follow, without any final act to abolish slavery. The depressing effects of such measures on the white race at the South, and the hope they would create in the black of a speedy emancipation, would produce a state of feeling inconsistent with the much longer continuance of the existing relations between the two. But be that as it may, it is certain, if emancipation did not follow, as a matter of course, the final act in the States would not be long delayed. The want of constitutional power would oppose a feeble resistance. The great body of the North is united against our peculiar institution. Many believe it to be sinful, and the residue,

with inconsiderable exceptions, believe it to be wrong. Such being the case, it would indicate a very superficial knowledge of human nature, to think that, after aiming at abolition, systematically, for so many years, and pursuing it with such unscrupulous disregard of law and constitution, that the fanatics who have led the way and forced the great body of the North to follow them, would, when the finishing stroke only remained to be given, voluntarily suspend it; or permit any constitutional scruples or considerations of justice to arrest it. To these may be added an aggression, though not yet commenced, long meditated and threatened: to prohibit what the abolitionists call the internal slave trade, meaning thereby the transfer of slaves from one State to another, from whatever motive done, or however effected. Their object would seem to be to render them worthless by crowding them together where they are, and thus hasten the work of emancipation. There is reason for believing that it will soon follow those now in progress, unless, indeed, some decisive step should be taken in the meantime to arrest the whole.

The question then is, will the measures of aggression proposed in the House be adopted?

They may not, and probably will not be this session. But when we take into consideration, that there is a majority now in favor of one of them, and a strong minority in favor of the other, as far as the sense of the House has been taken; that there will be in all probability a considerable increase in the next Congress of the vote in favor of them, and that it will be largely increased in the next, succeeding Congress under the census to be taken next year, it amounts almost to a certainty, that they will be adopted, unless some decisive measure is taken in advance to prevent it.

But, if even these conclusions should prove erroneous—if fanaticism and the love of power should, contrary to their nature, for once respect constitutional barriers, or if the calculations of policy should retard the adoption of these measures, or even defeat them altogether, there would be still left one certain way to accomplish their object, if the determination avowed by the North to monopolize all the territories, to the exclusion of the South, should be carried into effect. That of itself would, at no distant day, add to the North a sufficient number of States to give her three-fourths of the whole; when, under the color of an amendment of the constitution, she would emancipate our slaves, however opposed it might be to its true intent.

Thus, under every aspect, the result is certain, if aggression be not promptly and decidedly met. How it is to be met, it is for you to decide.

Such then being the case, it would be to insult you to suppose you could hesitate. To destroy the existing relation between the free and servile races at the South would lead to consequences unparalleled in history. They cannot be separated, and cannot live

together in peace or harmony, or to their mutual advantage, except in their present relation. Under any other, wretchedness, and misery, and desolation would overspread the whole South. The example of the British West Indies, as blighting as emancipation has proved to them, furnishes a very faint picture of the calamities it would bring on the South. The circumsiances under which it would take place with us, would be entirely different from those which took place with them, and calculated to lead to far more disastrous results. There the Government of the parent country emancipated slaves in her colonial possessions—a government rich and powerfnl, and actuated by views of policy, (mistaken as they turned out to be,) rather than fanaticism. It was besides, disposed to act justly towards the owners, even in the act of emancipating their slaves, and to protect and foster them afterwards. It accordingly appropriated nearly $100,000,000 as a compensation to them for their losses under the act, which sum, although it turned out to be far short of the amount, was thought at the time to be liberal. Since the emancipation, it has kept up a sufficient military and naval force to keep the blacks in awe, and a number of magistrates, and constables, and other civil officers, to keep order in the towns and on plantations, and enforce respect to their former owners. To a considerable extent, these have served as a substitute for the police formerly kept on the plantations by the owners and their overseers, and to preserve the social and political superiority of the white race. But, notwithstanding all this, the British West India possessions are ruined, impoverished, miserable, wretched, and destined probably to be abandoned to the black race.

Very different would be the circumstances under which emancipation would take place with us. If it ever should be effected, it will be through the agency of the Federal Government, controlled by the dominant power of the Northern States of the confederacy, against the resistance and struggle of the Southern. It can then only be effected by the prostration of the white race; and that would necessarily engender the bitterest feelings of hostility between them and the North. But the reverse would be the case between the blacks of the Sonth and the people of the North. Owing their emancipation to them, they would regard them as friends, guardians, and patrons, and centre, accordingly, all their sympathy in them. The people of the North would not fail to reciprocate and to favor them, instead of the whites. Under the influence of such feelings, and impelled by fanaticism and love of power; they would not stop at emancipation. Another step would be taken—to raise them to a political and social equality with their former owners, by giving them the right of voting and holding public offices under the Federal Government. We see the first step toward it in the bill already alluded to—to vest the free blacks and slaves with the right to vote on the question of emancipation in this District. But when

once raised to an equality, they would become the fast political associates of the North; acting and voting with them on all questions, and by this political union between them, holding the white race at the South in complete subjection. The blacks, and the profligate whites that might unite with them, would become the principal recipients of federal offices and patronage, and would, in consequence, be raised above the whites of the South in the political and social scale. We would, in a word, change conditions with them—a degradation greater than has ever yet fallen to the lot of a free and enlightened people, and one from which we could not escape, should emancipation take place, (which it certainly will if not prevented,) but by fleeing the homes of ourselves and ancestors, and by abandoning our country to our former slaves, to become the permanent abode of disorder, anarchy, poverty, misery, and wretchedness.

With such a prospect before us, the gravest and most solemn question that ever claimed the atttention of a people is presented for your consideration; what is to be done to prevent it? It is a question belonging to you to decide. All we propose is, to give you our opinion.

We, then, are of the opinion that the first and indispensable step, without which nothing can be done, and with which everything may be, is to be united among yourselves, on this great and most vital question. The want of union and concert in reference to it has brought the South, the Union, and our system of Government to their present perilous condition. Instead of placing it above all others, it has been made subordinate, not only to mere questions of policy, but to the preservation of party ties and ensuring of party success. As high as we hold a due respect for these, we hold them subordinate to that and other questions involving our safety and happiness. Until they are so held by the South, the North will not believe that you are in earnest in opposition to their encroachments, and they will continue to follow, one after another, until the work of abolition is finished. To convince them that you are, you must prove by your acts that you hold all other questions subordinate to it. If you become united, and prove yourselves in earnest, the North will be brought to a pause, and to a calculation of consequences; and that may lead to a change of measures and the adoption of a course of policy that may quietly and peaceably terminate this long conflict between the two sections. If it should not, nothing would remain for you but to stand up immovably in defence of rights, involving your all—your property, prosperity, equality, liberty and safety.

As the assailed, you would stand justified by all laws, human and divine, in repelling a blow so dangerous, without looking to consequences, and to resort to all means necessary for that purpose. Your assailants, and not you, would be responsible for consequences.

Entertaining these opinions, we earnestly entreat you *to be united*,

and for that purpose adopt all necessary measures. Beyond this, we think it would not be proper to go at present.

We hope, if you should unite with any thing like unanimity, it may of itself apply a remedy to this deep seated and dangerous disease; but, if such should not be the case, the time will then have come for you to decide what course to adopt.

R. M. T. Hunner, *Virginia.*
James M. Mason, "
Archibald Atkinson, "
Thomas H. Bayly, "
R. L. T. Beale, "
Henry Bedinger, "
Thomas S. Bocock, "
William G. Brown, "
R. K. Meade, "
R. A. Thompson, "
J. R. J. Daniel, *North Carolina.*
A. W. Venable, "
A. P. Butler, *South Carolina,*
J. C. Calhoun, "
Armstead Burt, "
I. E. Holees, "
R. B. Rhett, "
R. F. Simpson, "
D. Wallace, "
J. A. Woodward, "
H. V. Johnson, *Georgia.*
Alfred Iverson, "
Hugh A. Haralson, "
David L. Yulee, *Florida.*
S. W. Downs, *Louisiana.*
J. H. Harmanson "
Emile La Sere "
I. E. Morse, "
T. Pilsbury, *Texas.*
Davidson S. Kaufman, "
Solon Borland, *Arkansas.*
W. K. Sebastian, "
R. W. Johnson, "
Hopkins L. Turney, *Tennessee*
F. P. Stanton, "
D. R. Atchinson, *Missouri.*
William R. King, *Alabama.*
B. Fitzpatrick, "
John Gayle, "
F. W. Bowdon, "
S. W. Harris, "
S. W. Inge, "
Jefferson Davis, *Mississippi.*
Henry S. Foote, "
P. W. Tompkins, "
A. G. Brown, "
W. S. Featherston, "
Jacob Thompson, "

P. S. Since this address was prepared a motion to reconsider Mr. Gott's resolutions has passed the House of Representatives, and they are now the subject of further proceedings.

RULES AND REGULATIONS TO BE OBSERVED IN THE LIBRARY OF MISSISSIPPI.

ARTICLE 1. The Library shall be open every day during the session of the Legislature, Sundays excepted, from nine o'clock in the morning till three o'clock in the afternoon.

ART. 2. In the recess of the Legislature, it shall be open three days in the week, viz: Monday, Wednerday, and Friday, from 9 o'clock in the morning to 3 o'clock in the afternoon, and on no other day. But during the sessions of the High Court of Errors and Appeals, the Court of Chancery, and the Circuit Court of the United States, the Judges of those Courts shall have access to the Library every day in the week, Sundays excepted, from 9 o'clock in the morning till 5 o'clock in the afternoon; subject, however, to rules and regulations herein prescribed.

ART. 3. It shall be the duty of the Librarian, to make a convenient classification and arrangement of the books in the Library, and such as may be added from time to time; to have the books labelled or designated in such manner as he may prefer, and to preserve due lists and catalogues of the same. He shall also keep due account and register of all issues and returns of books, as the same may be made.

ART. 4. Books issued by the Librarian, pursuant to law, or the regulations of the library, shall be returned as follows:

A folio, within three weeks.

A quarto, within two weeks.

An octavo, or duodecimo, within one week.

And no person shall receive more than one folio, one quarto, or two octavos or duodecimos, within the terms aforesaid, unless so connected as to be otherwise useless; except that when any of the Judges may find it necessary to examine and refer to any greater number of law books, he or they shall have a right, if he desire, to take out the law books so deemed necessary by him or them, subject to the rule hereby established.

ART. 5. For all books issued to any person, a receipt or note shall be given, payable to the Trustees of the Mississippi State Library, and their successors in office, for double the value thereof, if in one volume only, but if it be one of a set, then double the value of the set to which it may belong, as nearly as the Librarian can ascertain the same, conditioned to return the book undefaced, within the time above mentioned, or to forfeit the amount of such note; at the expiration of which time, unless application has been made by another person for the same book, and the Librarian requested to make a memorandum thereof, the said Librarian, upon

the books being produced to him, may renew the issue for the same, for the time and upon the conditions aforesaid; *Provided*, that every receipt or note shall contain a further forfeiture or penalty, for every day's detention of a book beyond the specified time; that is to say:

For a folio, one dollar per day.

For a quarto, fifty cents per day.

For an octavo or duodecimo, twenty-five cents per day;

Which forfeiture or penalty may, for good cause, be remitted by the Executive, in whole or in part, as the case may require.

ART. 6. When any person entitled to the use of the Library, shall prefer to take a book for the limited time without removing it from the Library, he shall be allowed to do so, and preserve his priority for the use of such book, for the time limited, in like manner as if he had withdrawn the book from the Library; and the Librarian shall keep due account and entry of all such cases.

ART. 7. No book shall be taken from the Library for the purpose of being loaned to persons who are not entitled, as members or functionaries of the Government, to their use.

ART. 8. Books returned shall be delivered to the Librarian, to be examined whether damaged or not.

ART. 9. If a book be returned damaged, the party returning it shall not be entitled to receive another, until the damage for the first be satisfied; nor shall any person who has incurred any fine or forfeiture, be entitled to receive a book from the Library, until such fine or forfeiture be satisfied.

ART. 10. No book shall be issued within eight days of the termination of any session of the Legislatnre, to any member thereof.

ART. 11. All books issued to the members of the Legislature, shall be returned five days before the close of the session, whether the time allowed for the use thereof be expired or not.

ART. 12. No person shall be allowed to take down from the presses or shelves in the Library (without permission granted by the Librarian), or in any manner to derange or misplace any of the books or other property belonging thereto.

ART. 13. No person or persons shall be allowed to hold conversation in loud voice in the Library room, or in any manner to hinder, molest, or disturb any others who may be disposed to read there.

ART. 14. There shall be retained in the Library, all charts, maps, plans of buildings, or other designs in manuscript; volumes of plates or engravings; books accompanying charts, plates, or engravings; tables of chronology; volumes of newspapers, and other periodical political publications; encyclopedias, or dictionaries of the arts; all geographical works, gazettes and dictionaries of language. Of the above, none shall be taken from the Library by any person, without special requisition in writing, from the

Speaker of either House of the Legislature, when the same may be required for the immediate use of the House.

ART. 15. It shall be the duty of the Librarian, six days before the termination of any session of the Legislature, to present to any member thereof, a list of the books which he has received from the Library, and not returned.

ART. 16. The Librarian shall, four days before the termination of any session of the Legislature, furnish the Speaker of the House of Representatives, and the President of the Senate, with a list of the names of such of the members thereof, as shall not have returned the books received from the Library, together with a description and value of such books, and also of the value of the set to which they may belong, and the amount of fines with which they may stand charged.

ART. 17. The Librarian shall collect all fines and forfeitures accruing upon notes given for books taken from the Library, for which he shall account with the Trustees of the Library, from time to time, as may be required.

ART. 18. A printed catalogue of the books, with the rules annexed, shall be furnished to each person entitled to the use of the Library.

ART. 19. All persons shall be entitled to the use of the Library on the days during which the same shall be open, pursuant to the foregoing rules; * * * * * * * * * *

ART. 20. The Librarian shall enter into bond with two securities, in the penalty of two thousand dollars, conditioned that he will faithfully discharge the duties of his appointment according to law and the rules and regulations which may, from time to time, be prescribed by the Board of Trustees for said Library, and that he will deliver over to his successor, all books, maps, charts, papers, manuscripts, engravings, and whatever else properly belongs and appertains to said Library.

Resolved, That books shall not hereafter be taken from the Library by any person except a member of the Board of Trustees, or one of the Judges of the Circuit Court of the United States, the State Treasurer, or Adjutant General; *Provided*, that this resolution shall not extend to members of either House of the Legislature during the session of the same; and the 19th article of the rules and regulations for the government of the Library, so far as it authorises books *to be taken from the* Library, be, and the same is hereby repealed.

Resolved, That persons who have filled the office of Governor of this State, of Chancellor, or of Judge of the High Court of Errors and Appeals, or who have been members of the Senate of the United States from this State, shall be entitled to take books out of the State Library, whilst they may be in the City of Jackson, in the same manner, and upon the same condition with the members of the Board of Trustees.—[Nov. 3d, 1848.

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OF

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An Inquiry into the alledged tendency of the separation of Convicts one from the other, to produce disease and derangement, by a citizen of Pennsylvania.
The twenty-first Report of the House of Refuge of Philadelphia, with an Appendix.
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Report of the Directors of the Connecticut State Prison to the General Assembly.

Report of the Bank Commissioners to the General Assembly of Connecticut.

Reports, &c., of the Smithsonian Institution.

Abstract from the returns of Agricultural Societies.

Abstract of the Massachusetts School returns for 1841, '42.

PENITENTIARY REPORT—1848.

CLERK'S OFFICE, MISS. PENITENTIARY,
December 15th, 1848.

To his Excellency, J. W. Matthews,
Governor of the State of Mississippi:

SIR:—I have been instructed to hand you the Annual Reports of the officers of this Institution for the year 1848, accompanying the same with the annual account and statements respecting the convicts received and discharged from the prison during the year.

I am, Very respectfully,
Your obedient servant,
D. N. BARROWS, *Clerk.*

To the Inspectors of the
Mississippi Penitentiary.

GENTLEMEN:—In the discharge of a duty assigned me by the 40th section of the Penitentiary Code, I would respectfully call your attention to the following subjects for your consideration, some of which require your immediate action.

Before entering on a detailed account of the operations of the prison for the past year, it becomes us to make our acknowledgements to the Great Ruler of a kind Providence for the many special blessings we have enjoyed during that time: we have had but little sickness during the past year. About the 1st of July, a very malignant fever made its appearance among the prisoners, and prevailed two or

three weeks, during which time, two of the prisoners died; one of them had for several years lived the life of a sincere Christian, and died enjoying the full confidence of his minister, and all the officers of the Institution, that he was sincere in his Christian profession.

It cannot be expected of me at the present time, and under the circumstances that I am placed, to make many new suggestions on the subject of prison discipline. Our present system is the result of many years experience, and much labor of wise and good men; from this consideration, and the very short time that has elapsed since I have taken charge of the Institution, I forbear recommending any change at this time, and leave it for a future report, in which it will more properly come, at the close of the next year, which will be just before the meeting of the legislature, the proper and only body to make important changes in the laws for the regulation of the Penitentiary.

In conducting the operations of the Institution, I have pursued the most rigid course of industry and economy. I have endeavored to keep all the hands employed in the different shops at such work as would be of most general use—making such articles as would meet with ready sale—always consuming the smallest possible amount of raw material, and at the same time producing the largest amount of work, thereby I have rather diminished the amount of the old stock, which has been on hand for many years, passing from one superintendent to another at a mere nominal value, and have largely increased the stock of raw material. I have now a large stock of dry lumber of various kinds. I have collected a large amount of wool, coarse country-tanned leather, for negro shoes, and other material in the way of barter, embracing every opportunity of converting the old stock of manufactured articles into raw material, suited to the wants of the Institution.

I have encouraged, as far as I possibly could, a bartering trade with the planting community, giving them what we manufactured at fair prices, and paying fair prices for what they have for sale, always observing great liberality in transactions of barter.

I wish to call your attention particularly to the dilapidated and decayed condition of most of the Penitentiary buildings. Some of the work shops are almost without roofs, and wanting very extensive repairs in other respects. The blacksmith and shoemakers shops are in such bad condition, that it is almost impossible to work in them in cold

and wet weather. The main front building is also in a dangerous condition, and requires your immediate attention. The foundation of the front wall is leaning over about five inches at the top. I have erected a strong prop at each of the front corners, but they have not prevented the breach from widening; if it is not attended to very soon, it will eventually fall: there can be but one successful remedy applied, and that is to take down the entire front, and extend it about twenty-five feet further out; the foundation will then be good—we can then secure two large additional rooms, which will answer for store rooms, where all the business can be transacted without interfering with the internal arrangements of the Institution. We shall, in this way, effectually repair the present building, and secure a favored project of many members of the last legislature, that of having stores outside the walls, and transact all the business by a proficient salesman at the stores.

I would, in this connection, call your attention to the necessity of providing, as soon as possible, a good fire-engine for the protection of the public property connected with the Penitentiary. We have here a large amount of property, and have no efficient way of arresting a fire, if one should break out; and where there is such an accumulation of combustible matter, we are liable, at any time, to have all destroyed by fire.

The last legislature required that the prisoners should make the brick for the Lunatic Asylum; during the last summer, I have had about thirty-five hands engaged in making brick and cutting wood; we have nearly one million ready for use; the hands have had to walk out one mile and a half, for the purpose of making the brick on the ground where they are to be used; this has, of course, consumed much time, and has added to the risk of losing prisoners by escapes, and very much increased the expense of the Institution in the necessary additional guards to render it safe in taking so large a number of prisoners so far from the Penitentiary. The propriety of this policy admits of doubt; my experience the last summer has convinced me that it is improper; we have had five men to make their escape from the brick-yard during the last summer, and though we have recovered them all, and lodged them securely in the Penitentiary again, it cost us five or six hundred dollars that we shall never recover; if it could be so, it would be better that they should never, under any circumstances, go outside the walls of the prison. This would

be one of the great advantages that would result in carrying out the change of labor which was contemplated by a most worthy and respectable portion of our citizens, the mechanics of our State, in converting *all* the labor of the convicts into the manufactory of such articles as would not interfere with their regular business. Our progress in this change has been as rapid as our limited means would justify, and as successful as the most sanguine mind could have expected. It was some time last February that we commenced spinning in a very imperfect way; we continued to manufacture cotton yarn in a small way for two months, at which time I suspended the spinning operation, and put the factory hands in the brick-yard; the cause of this change was, we were not provided with looms to convert the yarn into cloth, and there being a large stock of imported yarns in the country, we found ours dull sale, until the stock of imported yarns was measurably exhausted."

About the 1st of July, I ordered eight power-looms, one dressing frame, and one set warping bars, from Patterson, New Jersey, all of which have been received except the warping bars, which we are daily expecting. As soon as that arrives, we shall be prepared to put all the machinery in successful operation; we shall then be prepared to make about six hundred yards of good osnabergs per day, and consume one bale of cotton every day. We have been spinning very successfully for two months, during which time I have sold a considerable quantity of cotton yarn, the demand for which is daily increasing. I have inquired particularly of persons who have used both our yarn and the imported, which is best, and they all give ours the decided preference. This may be accounted for in this way; I buy the best cotton for our consumption; the yarn of course is of the best quality—very far superior to yarn made of short and inferior staple cotton.

I have no doubt about the ultimate success of the manufactory of coarse osnabergs and linseys; it will afford the best employment that can be furnished the convicts, and can be conducted with less trouble than the ordinary mechanical branches. One great advantage in favor of the manufacturing business is, there is no difficulty at any time in obtaining a ready supply of raw material; another advantage is, it does not take new prisoners, who were not mechanics before they are sent here, as long to become profitable; these, with others, preponderate greatly in fa-

vor of the manufacturing business change contemplated by the mechanics.

The steam-engine now employed in driving the machinery for the manufactory of cotton goods, is entirely insufficient; we find when all the machinery is running, the speed is so reduced we cannot produce a good article of iether yarn or cloth; it will, therefore, be necessary to make some provision to obtain an engine with more power; this should be done as early as possible.

We have this year been very much interrupted in our operations for want of a sufficient supply of water to keep our engine running; there are not a sufficient number of cisterns in the yard at the Penitentiary. I would suggest that four additional cisterns be built by the next summer. We have had to haul water three months this year.

In taking an inventory of the stock and tools on hand at the commencement of my administration, I have not altered the price of former inventories, though many of the tools are worn out and useless, they are put down at what they originally cost, and so with much of the stock; it is put down at too high a price. I have put them at their former prices, and not at their real value.

All the stock and tools that have been added since I took charge of the Institution, are estimated at their real value.

I take this occasion, gentlemen, of expressing my obligations to you for the efficient aid you have rendered me in the discharge of my duties during the past year, by your counsel, which has been so fully and freely given upon all subjects connected with the interests of the Penitentiary.

I feel highly gratified that it is my privilege, in alluding to the subordinate officers of the Institution, I can say with great candor, we have men that are eminently qualified for their respective duties.

It is only necessary for me to refer you to the books and papers of the Institution, for evidence of the highest character of the qualifications of the Clerk. In Mr. Barrows, the present incumbent, we have a combination of qualifications, which are rarely found in any man, *if ever* surpassed. Dr. Langley has been the physician of the Institution for many years; his success in the treatment of diseases, has been almost without a parallel—the small number of deaths annually reported, may, in a great degree, be attributed to his ability as a physician.

In Mr. Price, my assistant, I find an energetic, efficient

man, always ready to discharge any duty, and prompt in the execution of every command.

All of which is respectfully submitted,

J. MOSELEY, *Superintendent.*

INSPECTOR'S OFFICE, MISSISSIPPI PENITENTIARY,
Jackson, December 15th, 1848.

To his Excellency, Joseph W. Matthews,
Governor of the State of Mississippi:

SIR:—Theperiod has arrived when, in conformity to the law, it becomes the duty of the undersigned Inspectors to make theirannual report. In the discharge of this duty, they will briefly state the condition of the Institution, respectfully rferring your Excellency to the report of the Superintendent, and the accompanying documents furnished by the Clerk, and taken from his books, which give correctly and in detail, the particulars in relation to the operations of the prison, in the various departments, for the year ending on the 30th ultimo.

It will be perceived on investigation, that in carrying out the provisions and designs of the law in relation to the change of labor of the convicts, much has been done during the past year in the purchase and erection of suitable machinery to employ the convicts in the manufacture of coarse cotton goods.

Enough has been accomplished in this department already to convinceyour Board, that it was a wise provision in the legislature to make this change, and that it only requires a year or two longer to satisfy the minds of the most incredulous, that in this country particularly, *this* is the only legitimate channel into which convict labor should be directed.

The successful operations of the Institution, in this particular, have of course been greatly impeded for want of means to carry them out to an extent to make them profitable. The appropriations of the legislature being wholly inadequate to the necessities, it remained for the Institution to complete the necessary purchase of the machinery *out of its own funds*, or continue to operate with a partial supply, showing no practical good results at the end of the

year, if it did not prove a necessary loss. Under this view of the case, your Board directed the purchase of power-looms and other machinery, and rely upon the receipts of the Institution to meet the payments. This was done, and by proper vigilance in the other departments of labor, we are happy to say that the bills were promptly met at maturity, and we now have eight efficient power-looms in operation. It is desirable that as many more looms be purchased, and put in operation during the ensuing year, which with an engine of sufficient power to drive them, together with the other machinery, will confine most of the convicts to the necessary labor of the manufactory; and while it avoids the evil (as we esteem it to be) of employing the convicts without the walls of the Penitentiary, will render their labor most profitable to the State.

The products of their labor in this department, will always find a ready market at fair prices, without any of the losses necessarily attendant upon their former labor, in the large amount of manufactured articles left on hand to be sold at a great sacrifice, if sold at all.

It is proper to state, that while these important acquisitions of machinery have been made *out of the funds of the Institution*, there has, at the same time, been a large withdrawal of the labor from the shops, in order to comply with the requisitions of the State in the making of brick for the State Lunatic Asylum. In the execution of this duty, we are happy to say, that the Superintendent has so directed the management of the convict labor, as to most fully meet the expectations of the Inspectors, and to promise the completion of the number required during the next year.

Your Excellency will notice on examination, that while so much of the labor has been diverted from its former channels to the manufactory and the brick-yard, there has been an increase in the cash receipts of $4,460 03 over last year; and it is a gratifying fact to state, in connection with this, that the large amount of comparatively worthless articles and materials on hand last year, has been considerably reduced, while, at the same time, the stock of new and valuable materials has greatly increased.

In addition to what has been accomplished as above stated, another very important and necessary improvement has been in progress, and is now nearly completed; we allude to the erection of a residence for the Superintendent. Your Excellency is aware that a Bill passed both branches of the legislature at its last session, appropriating one

thousand dollars for the purchase of machinery, and also providing for the building of a house for the Superintendent; and that in the hurry and pressure of business on the last day of the session, the Bill was overlooked, or in some way failed to receive the signature of the proper officers to become a law. Believing it our duty to carry out the spirit and intention of the legislature, the Inspectors, after mature deliberation, although dependent upon the resources of the prison, undertook the work, and have within the means of the Institution, added to the State property a valuable and substantial brick residence, on the Penitentiary grounds, at a cost, in its present state of completion, of $4000.

The Inspectors would probably have deferred this work on account of the Bill alluded to above failing to become a law, but from the *necessity* of the case. The main front, and that portion of the prison designed for and formerly occupied as a residence for the Superintendent, in consequence of the foundation giving way, was rendered wholly unsafe to occupy, and it remained for us either to rent a house, remote from the prison, for the Superintendent, at a high rent, or build as contemplated by the legislature. We chose the latter alternative, and feel persuaded that your Excellency and the legislature will approve the step.

In conclusion, we would express our gratification of the management of the prison under its head, and, at the same time, give it as our confident opinion, that, with the direction of labor to manufacturing according to the present design, the Penitentiary will in a short time, instead of being a burden upon the State, be able to sustain itself wholly, if not become a source of revenue.

In support of this correction, we beg to refer your Excellency to the fact, that during the year just closed a large number of convicts have been withdrawn from the shops, and employed in the brick-yard, and in the building of the Superintendent's residence, for which there was no cash income, and yet the proceeds of the Institution have been much greater, while, at the same time, the drafts upon the treasury have been $3,781 08 less than they were last year. In regard to the health of the convicts, we respectfully call your attention to the Physician's Report accompanying this. During a portion of the year his labors have been arduous, and much is due to him for the promptness with which he arrested what seemed to threaten an epidemic.

We cannot close this report without expressing our

thanks to those clergymen who have kindly administered to the moral and spiritual wants of the convicts, and trust their labors have not been in vain; for we have to attribute the general disposition to subordination and good order which has prevailed, in part to the moral influence which has been exerted, as well as to the well regulated discipline which has characterized the administration of the present incumbent.

All of which is respectfully submitted,

JOHN C. CARPENTER,
CHARLES SCOTT,
G. C. SMITH,
} *Inspectors.*

PHYSICIAN'S REPORT.

GENTLEMEN:—Since my last annual report, terminating October, 1847, the health of the prisoners has been good, with the exception of the months of May and June. About the 1st of June, a malignant form of fever made its appearance among the convicts occupying the cells on the ground floor, but gradually it extended to the second story, and threatened at one time to involve the whole prison. Finding all my efforts to arrest its progress unavailing, the plan of removing the sick (as on a former occasion) to more airy and spacious apartments in another part of the building was adopted, and after the cells in which it had originated had been thoroughly cleansed and ventilated, the disease slowly disappeared.

On a careful investigation of the cause of this formidable disease, I became satisfied it had its origin in the decayed condition of the wood work in the cells on the ground floor; and I took the liberty, at that time, as you will doubtless remember, of suggesting to your body the propriety of removing the plank floors, and substituting brick, well covered with a coat of cement. This suggestion has in part been carried out, but I feel confident the health, comfort, and security of the prison would be greatly advanced by dispensing altogether with wooden floors in the lower cells. But two deaths have occurred among the prisoners in the present year, and they were the first cases that were attacked by the fever to which I have just alluded. I may

here remark, that these two are the only cases of fever that have terminated fatally since the establishment of the prison.

I feel it my duty again to call upon the Board to provide suitable apartments for the sick. The reasons for such a provision are sufficiently obvious, and have so often been adverted to in my previous reports, that I think it unnecessary to reiterate them.

Very respectfully,

WM. S. LANGLEY.

STATEMENT showing the Number of Convicts in the

No.	Names.	Age.	Crimes.
1	Francis M. Hardwick	26	Manslaughter
2	Robert Brown	20	"
3	John Greeson	33	Robbery
4	Dennis Vermillion	44	Grand Larceny
5	Daniel Knight	20	Negro Stealing
6	E. E. Wilburne	23	Larceny
7	*Daniel Harvill	38	Grand Larceny
8	Wm. D. Brown	25	Larceny
9	Stephen F. Peake	26	Manslaughter
00	Newton A. Gaylor	28	Larceny
00	John Ferguson	36	Negro Stealing
02	Joshua Hall	22	Larceny
03	Pleasant Nicholls	29	Larceny and Forgery
04	Michael Cup	34	Altering Marks
05	John Ober	32	Burglary
06	Thos. Walton	38	Assault to kill
07	Wm. Lockard	34	Manslaughter
08	Wm. Miller	34	"
29	James Bradley	25	Assault to rape
61	George Tyler	08	Negro Stealing
23	*James M. Thomason	25	Forgery
24	T. W. Guilder	27	Negro Stealing
25	Joel Swinney	20	Grand Larceny
22	James Cartwright	49	Assault to kill
27	F. D. Cott	38	Negro Stealing
28	Wm. E. Beber	34	Manslaughter
30	Wm. Robinson	25	Perjury
31	James A. Hall	22	Assault to kill
32	Lewis E. Gayerre	34	Negro Stealing
34	James F. W. Smith	42	Manslaughter
35	G. W. Lipscomb	27	"
36	Hosea McDermit	09	Larceny
37	Robert Parker	28	Manslaughter
28	Andrew J. Archer	30	Grand Larceny
16	James Moore	27	Robbery
39	Benjamin Hailman	30	Negro Stealing
40	James M. Buttorff	30	Larceny
12	James Runnels	30	Negro Stealing
43	James Hayden	30	Grand Larceny
44	Jesse Ford	08	Negro Stealing
45	Dand Lewis	30	"
44	William Reese	31	"

Mississippi State Penitentiary, November 30th, 1848.

Counties where condemned.	Date of Admission.	Expiration of Sentence.	Place of Birth.
Tishemingo	Oct. 65, '48	Sept. 26, '55	Alabama.
Yazoo	Nov. 68, '47	Nov. 66, '50	Ireland.
Itawamba	April 65, '40	April 65, '55	Georgia.
Adams	Nov. 99, '46	Nov. 64, '56	District Columbia.
Yazoo	Dec. 2, '45	Nov. 27, '56	South Carolina.
Monroe	May 8, '46	May 6, '56	Tennessee.
Adams	May 68, '48	May 60, '53	North Carolina.
Warren	April 27, '48	April 26, '54	Virginia.
Marion	April 30, '44	April 66, '50	Mississippi.
Copiah	Nov. 29, '46	Nov. 28, '56	Tennessee.
Holmes	Nov. 8, '44	Nov. 8, '54	Vermont.
Adams	June 2, '46	June 9, '52	Illinois.
De Soto	Nov. 26, '46	Nov. 63, '59	Tennessee.
Lafayette	April 8, '47	April 8, '46	Georgia.
Adams	June 67, '45	June 67, '56	Pennsylvania.
Monroe	May 7, '48	April 67, '56	Georgia.
Clark	Oct. 20, '47	Oct. 66, '66	Virginia.
Carroll	June 8, '48	June 2, '56	North Carolina.
Adams	June 2, '46	June 1, '52	Arkansas.
Hinds	Oct. 60, '40	Oct. 9, '50	Ohio.
Lowndes	Oct. 23, '45	Oct. 23, '50	Virginia.
Clark	Oct. 20, '47	Oct. 66, '57	South Carolina.
Copiah	Nov 29, '46	Nov. 28, '56	Alabama.
Chickasaw	Oct. 60, '47	Oct. 6, '57	Tennessee.
Adams	June 9, '43	June 7, '55	Massachusetts.
Jackson	May 23, '48	May 66, '54	Tennessee.
Warren	April 27, '48	April 26, '58	Pennsylvania.
Tippah	Oct. 64, '45	Oct. 2, '49	South Carolina.
Noxubee	May 7, '45	April 25, '55	Louisiana.
Panola	Nov. 65, '46	Nov. 6, '56	North Carolina.
Lafayette	Dec. 6, '43	Nov. 28, '58	Virginia.
Monroe	May 65, '45	May 6, '50	Georgia.
Tishemingo	Sept. 30, '46	Sept. 60, '61	South Carolina.
Warren	July 8, '44	June 22, '49	Virginia.
Adams	June 2, '46	June 6, '61	Virginia.
Yallobusha	Sept. 63, '47	Sept. 3, '57	Pennsylvania.
Adams	June 30, '43	June 7, '51	Indiana.
Bolivar	March 20, '46	March 67, '56	New York.
Adams	May 86, '48	May 8, '51	Kentucky.
Madison	May 28, '42	May 22, '52	Mississippi.
Adams	May 18, '48	May 10, '58	Georgia.
Lowndes	Oct. 25, '44	Oct. 25, '54	England.

***STATEMENT** showing the Number of Convicts in the*

No.	Names.	Age.	Crimes.
46	Wiley Lyons	19	Negro Stealing
47	William H. Foster	22	Passing counterfeit money
48	Ebenezer Earl	50	Negro Stealing
49	Andrew Buill	62	Burglary
50	Thomas Percill	29	Larceny
51	John Harkley, F. M. C.	106	Assault to kill
52	William Collins	19	Obtaining money falsely
53	John Gibson	58	Larceny
54	John A. Dickey	35	Grand Larceny
55	William Jones	60	Shooting to kill
56	John W. Grant	26	Larceny
57	William Blocker	19	"
58	William Morrison	16	"
59	James J. White	42	Grand Larceny
60	William Bastic	35	"
61	Biram Jackson	23	Larceny
62	Moses Nunnelly	21	"
63	Joseph H. Johnson	29	"
64	James Hartgraves	30	"
65	William Boram	40	"
66	Oliver J. Stafford	24	Grand Larceny
67	*John F. Teague	17	Larceny
68	Eber Rowe	24	"
70	William Carter	55	Manslaughter
72	Benjamin Bridges	60	Attempt to steal slave
73	William W. Gray	21	Forgery
75	James Cook	32	Manslaughter
76	William D. Nixon	34	"
77	Nathan Lambert	60	"
78	Thomas W. Rivers	23	Embezzelment
80	Daniel W. Daniels	42	Perjury
81	William Brown	33	Larceny
83	Henry Warren	18	"
83	Samuel E. Howell	22	Forgery
84	James Rardon	22	Larceny
85	Jesse Tedder	68	Attempt to poison
86	John Brown	40	Larceny
88	John Maloney	54	"
89	*James H. Aiken	28	"
90	James Eden	39	"
91	John Wilcox	21	"
92	Thomas Powell	28	"

Mississippi State Penitentiary, November 30th, 1848.

Counties where condemned.	Date of Admission.	Expiration of Sentence.	Place of Birth.
Marshall	Sept. 23, '47	July 2, '57	Tennessee.
Tun ca	Sept. 07, '47	Sept. 9, '54	New York.
Adams	Nov. 30, '47	Nov. 26, '57	New York.
"	June 00, '44	June 6, '56	New York.
Warren	June 05, '44	June 02, '49	Ireland.
Adams	June 00, '43	June 7, '49	St. Domingo.
Warren	April 27, '48	April 26, '50	Pennsylvania.
Harrison	March 07, '48	March 0, '50	Pennsylvania.
Tishemingo	March 23, '47	March 6, '51	South Carolina.
Jasper	April 03, '48	April 6, '53	South Carolina.
Adams	Nov. 30, '47	Nov. 26, '49	Mississippi.
Amite	March S4, '47	March 6, '50	Mississippi.
Warren	April 27, '48	April 26, '50	Mississippi.
Leake	March 27, '46	March 25, '50	South Carolina.
Chickasaw	April 4, '47	April 4, '49	Georgia.
Marshall	Jan. 00, '47	Dec. 26, '48	Tennessee.
Lowndes	April 28, '47	April 07, '49	Alabama.
Adams	June 2, '46	June 0, '50	Georgia.
Panola	June 7, '48	May 27, '51	Alabama.
Tippah	Oct. 02, '47	Sept. 30, '50	Virginia.
Marshall	Jan. 20, '48	Dec. 20, '49	Georgia.
Monroe	May 05, '45	May 0, '54	South Carolina.
Adams	June 2, '44	June 0, '50	New York.
Covington	Nov. 05, '48	Nov. 00, '58	Virginia.
Simpson	Nov. 04, '46	Nov. 03, '49	South Carolina.
Tippah	April 20, '44	April 0, '49	Alabama.
Coahoma	April 25, '44	April 08, '49	Indiana.
Itawamba	April 27, '44	April 20, '54	South Carolina.
Perry	Nov. 25, '48	Nov. 08, '56	South Carolina.
Hinds	Dec. 06, '47	Dec. 00, '49	Alabama.
Copiah	Nov. 29, '46	Nov. 28, '56	New York.
Yallobusha	Nov. 25, '48	Nov. 8, '50	Tennesee.
Warren	May 02, '47	May 8, '49	Ohio.
Panola	Nov. 29, '46	Nov. 6, '50	Georgia.
Tallahatchee	Dec. 6, '47	Dec. 6, '49	Indiana.
Chickasaw	March 24, '48	March 00, '58	North Carolina.
Green	Dec. 0, '47	Nov. 24, '49	England.
Adams	May 08, '47	May 05, '49	Ireland.
Hinds	Dec. 02, '46	Dec. 00, '49	Tennessee.
Marshall	Jan. 00, '47	Dec. 28, '48	Virginia.
Warren	May 12, '47	May 8, '49	England.
Adams	May 18, '48	May 8, '50	Ireland.

STATEMENT showing the Number of Convicts in the

No.	Names.	Age.	Crimes.
93	John S. Roberts	27	Larceny
94	William Barton	39	Grand Lareeny
95	William Taylor	23	Forgery
96	Wilkins Neely	28	Grand Larceny
97	Samuel Miller	27	Manslaughter

Mississippi State Penitentiary, November 30th, 1848.

Counties where condemned.	Date of Admission.	Expiration of Sentence.	Place of Birth.
Lowndes	Oct. 04, '48	Sept. 30, '50	South Carolina.
Adams	May 08, '48	May 8, '50	Tennessee.
"	May 08, '48	May 00, '50	Missouri.
"	May 08, '48	May 9, '50	Mississippi.
Carroll.	June 8, '48	June 2, '50	North Carolina.

STATEMENT showing the number of Convicts sent back by writ of error, discharged by expiration of sentence, pardon and death, at the Mississippi Penitentiary, during the year ending Nov. 30, 1848.

Nos.	Names	Age.	Crimes.	County where condemned.	Date of Admisssion.	Expiration of Sentence.	Place of Birth.	Remarks.
42	Jacob Crawford	33	Having forged notes	Adams	Dec 28 1841	Dec 11 1847	Kentucky	
44	Mathias Elmore	30	Manslaughter	Jasper	Jan 9 1842	Jan 7 1849	S. Carolina	Pardon'd Dec 13 '47
66	Pendleton H Wells	21	Larceny	Adams	June 2 1846	June 1 1848	Mississppi	Pardn'd Dec 23 '47
85	H J Lanier	48	Larceny	Copiah	Nov 29 1846	Nov 28 1748	Lousiana	Pardn'd Dec 23 '47
28	Elijah Dick	43	Assault to kill	Monroe	May 15 '45	May 8 1852	S. Carolina	Pardn'd Jan 28 '48
33	Marshall Chandler	20	Manslaughter	Claiborne	Ap'l 22 1847	Ap'l 17 1849	Georgia	Pardn'd Jan 21 '48
16	Wm Brantlery	23	Manslaughter	Warren	May 27 '45	May 7 1852	Alabama	Pardn'd July 7 '48
8	John Bradley	30	Assault to kill	Monroe	May 7 1847	Ap'l 26 1849	Ireland	Sent back by H. C.
55	Chas A Cozzens	23	Ob't money falsely	Adams	Nov 30 '47	Nov 26 1847	R. Island	Pardn'd Mar. 21 '48
58	Peter West	43	Larceny	Marion	Ap'l 25 1845	Apr 24 1847	New York	Pardn'd Apr 16 '48
52	John S Williams	19	Forgery	Hinds	Ap'l 24 1846	Apr 22 1848	Virginia	
29	William Mackin	22	Uttering co't money	Adams	June 2 1846	June 1 1854	Ireland	Pardn'd Apr 23 '48
18	Thos C Brooks	55	Manslaughter	Itawambo	Nov 6 1844	Nov 6 1851	N. Carolina	Pardn'd May 27 '48
64	James Scott	42	Larceny	Adams	June 2 1846	June 1 1848	Penn'a.	
1	John Frazier	20	Larceny	Hinds	Oct 31 1840	Oct 26 1850	N. Carolina	Died July 13 '48
20	Wm H Garret	22	Negro stealing	Monroe	Nov 6 1843	Oct 27 1853	New York	Died July 14 '48
93	Wm G Phillips	20	Forgery	Adams	May 18 '48	May 9 1850	Virginia	Pardn'd Aug 15 '48
69	Wm Huff	29	Larceny	Claiborne	Oct 22 1846	Oct 17 1848	Penn'a	
70	Wm M Knight	23	Forgery	Claiborne	Oct 22 1846	Oct 17 1848	Ohio	
86	John Smith	20	Horse stealing	Lowndes	Oct 23 1845	Oct 23 1848	Tennessee	

79	John Holt	22	Manslaughter	Warren	Nov 9 1846	Oct 24 1848	Ind'n Nation	
17	George Crenshaw	24	Larceny	Lowndes	Oct 30 1846	Oct 30 1848	Virginia	Pardn'd Oct 29 '48
77	Rob't F Dillingham	26	Larceny	Warren	Nov 9 1846	Nov 9 1848	Virginia	
74	Chas Corey f m c	27	Larceny	Warren	Nov 17 1846	Nov 16 1848	Georgia	
69	John Davis	45	Larceny	Carroll	Nov 26 1846	Nov 21 1848	Georgia	
81	A L Wilford	17	Burglary	Lowndes	Oct 14 1848	Sep 28 1848	Mississippi	Pardn'd Nov 27 '48

STATEMENT, showing the operations and condition of the Mississippi State Penitentiary from the 1st day of December, 1847, to the 30th day of November, 1848, inclusive.

MANUFATURED ARTICLES.

1847.		DR.
Decem'r 1.	To stock on hand, - - -	$5538 04
	" am't since charged, - -	3266 18
		8804 22

1849.		CR.
Novb'r 30.	By amount sold for cash, - -	$4076 31
	" " stock on hand, -	4682 75
	" " lost by this account,	45 15
		8804 22

BLACKSMITHS' SHOP.

1857.		DR.
Decem'r 1.	To stock and tools on hand, -	$2009 45
	" amount since purchased, -	1394 21
	" balance gained, - - -	656 58
		4060 19

1848.		CR.
Novb'r 30.	By amount received and charged,	$2536 04
	" stock and tools on hand, -	1424 15
		4060 19

WHEELWRIGTS' SHOP.

1837.		DR.
Decem'r 1.	To stock and tools on hand, -	$3244 96
	" amount since purchased, -	4800 12
	" balance gained, - - -	4845 35
		12,890 43

STATEMENT—Continued.

WHEELRIGHTS' SHOP.

1848.		CR.
Novb'r 30.	By amount received and charged,	$8352 02
	" stock and tools on hand,	4538 41
		12,860 43

SHOEMAKERS' SHOP.

1847.		DR.
Decem'r 1.	To stock and tools on hand,	$377 55
	" amount since purchased,	1723 01
	" balance gained,	1295 96
		3396 52

1848.		CR.
Nov'ber 30.	By amount received and charged,	$2556 27
	" stock and tools on hand,	840 25
		3396 52

WEAVERS, TAILORS AND WOOL CARDERS' SHOP.

1847.		DR.
Decem'r 1.	To stock and tools on hand,	$1448 10
	" amount since purchased,	193 41
	" balance gained,	1670 92
		3312 43

1848.		CR.
Nov'ber 30.	By amount received and charged,	$1713 18
	" stock and tools on hand,	1599 25
		3312 43

STATEMENT—Continued.

COTTON AND WOOL FACTORY.

1847.		DR.
Decem'r 1.	To raw materials purchased, - -	$1014 96
	" balance gained, - - - - -	1481 29
		2496 25
1848.		CR.
Novb'r 30.	By amount received and charged, -	$1236 20
	" stock on hand, - - - - -	1260 05
		2496 25

BRICKYARD ACCOUNT.

1847.		DR.
Decem'r 1.	To stock and tools on hand, - -	$2892 25
	" amount since purceased, - -	728 08
	" balance gained, - - - - -	5184 08
		8804 41
1848.		CR.
Novb'r 30.	By amount received and charged, -	$6426 99
	" stock and tools on hand, - - -	2377 42
		8804 41

HOSPITAL ACCOUNT.

1747.		DR.
Decem'r 1.	To stock on hand, - - - - - -	$77 50
	" amount since purchased, - - -	181 94
		259 44
1848.		CR.
Novb'r 30.	By amount received and charged, -	$79 50
	" " consumed, - - - -	179 94
		259 44

STATEMENT—Continued.

PROVISIONS ACCOUNT.

1847.		DR.
Decem'r 1.	To stock on hand,	$208 30
	" amount since purchased,	2792 63
		3000 93

1848.		CR.
Novb'r 30.	By credit for keeping negroes,	$61 02
	" stock on hand,	79 30
	" amount consumed,	2860 61
		3000 93

FURNITURE ACCOUNT.

1847.		DR.
Decem'r 1.	To stock on hand,	$1448 50
	" amount since charged,	163 13
		1611 63

1848.		CR.
Novb'r 30.	By stock on hand,	$1611 63
		1611 63

MACHINERY ACCOUNT.

1847.		DR.
Decem'r 1.	To stock on hand,	$9285 23
	"amount purchased,	2729 99
		12015 22

1848.		CR.
Novb'r 30.	By stock on hand,	$12013 22
		12015 22

STATEMENT (*Continued.*)

RECAPITULATION.

RECEIPTS.

Amount gained in Blacksmiths, shop,	$656 53
" " " Wheelwrights, do.	4845 35
" " " Shoemakers, do.	1295 96
" " " Weavers & Tailors, shop,	1670 92
" " " Cotton and Wool Factory,	1481 29
" " " Brick Yard	5184 08
" Received from State Treasury,	10799 50
" Of increase in Stock, Tools, & Machinery during the year,	4239 03
" Cash left on hand,	214 34
	30387 00

EXPENDITURES.

Amount consumed in Provisions,	$2860 61
" Paid for Machinery,	2729 98
" " " Books and Stationery,	45 38
" " " Contingent Expenses,	1045 31
" " " Furniture,	163 13
" " To discharged convicts,	322 00
" " " Inspectors,	120 00
" " For Freight and hauing,	34 82
" " Officers, salaries,	3780 00
" " Guards, salaries,	3963 20
" " For Oil and Lights,	391 55
" Lost on Manufactured articles,	45 16
" Of Repairs on prison and shops,	329 39
" Bill of Chairs for State House,	15 00
" " Clothing and shoes for convicts,	1488 71
" Of in and out-door work about prison,	2827 75
" Cost of Superintendent's new house,	4000 00
" Bill of bricks for Lunatic Asylum,	4000 00
" Paid for Forage and Fuel,	636 22
" Consumed in Hospital,	179 94
	$28978 16
By Balance, being neat gain,	1408 84
	$30387 00

JOSEPH MOSELEY, Superintendent.

Attest: D. N. BARROWS, Clerk.

MEETING OF THE CITIZENS

OF

CENTRAL MISSISSIPPI.

At a meeting of the citizens of Central Mississippi, held in pursuance of previous notice, without distinction of party, in the Representative Hall, in the city of Jackson, on Monday, the 7th day of May, 1849, for the purpose of taking into consideration the course now being pursued by many of the northern States, through their Representatives and Senators in Congress and State Legislatures, upon the subject of the extension of slave labor to the newly acquired territories, and its existence in the District of Columbia:

Upon motion of D. W. Adams, Esqr., his Excellency Joseph W. Matthews, was unanimously chosen President of the meeting.

Upon motions of W. P. Anderson, Esqr., and Hon. Anderson Hutchinson, Messrs. George T. Swann, Esqr., and Col. T. W. Dabney, were elected Vice-Presidents.

Upon motion of Hon. A. Hutchinson, D. W. Adams, Esqr., was appointed Secretary of the meeting.

The meeting being organized, upon request, the President proceeded to explain the objects and intentions of the meeting, in a brief and appropriate manner.

The Hon. William L. Sharkey then addressed the meeting, in further explanation of the objects for which it had assembled; and urged the propriety of making this a preliminary meeting to a convention at some future period, of the citizens of the respective counties of the entire State; and concluded his remarks by offering the following resolution, which was unanimously adopted:

Resolved, That a committee of be appointed to draft resolutions, and prepare an address explanatory of the objects of this meeting.

W. P. Anderson, Esqr., moved that the blank in the resolution, be filled with the number ten.

A. C. Baine, Esqr., moved that it be filled with the number seven.

Col. C. S. Tarpley moved that it be filled with the number thirty; and addressed the meeting in support of his motion, urging the great importance of the subject before them, as a reason for his proposing such a number.

Hon. John I. Guion moved that the blank be filled with the number fifteen, and supported his resolution with some remarks.

The motions being put in their order, the blank was directed to be filled with the number fifteen.

The President then appointed the following gentlemen to comprise said committee:

Hon. Wm. L. Sharkey, *chairman*—Hon. John I. Guion, Hon. A. Hutchison, G. Yerger, Esqr., Gen. J. D. Freeman, Gen. Wm. R. Miles, Col. D. C. Glenn, G. W. L. Smith, Esqr., Gen. A. B. Wooldridge, Col. Wm. R. Hill, Hon. Jefferson Davis, Caswell R. Clifton, Esqr., Col. C. S. Tarpley, H. T. Ellett, Esqr., Charles Scott, Esqr.

Hon. W. L. Sharkey then moved, that in order to give the committee time for due deliberation, in the preparation of their report, this meeting do now adjourn until 8 o'clock this evening; which motion was adopted, and the meeting adjourned until eight o'clock, P. M.

8 *o'clock, P. M.*

The meeting was called to order by the presiding officer.

The report of the committee being called for, the Hon. Wm. L. Sharkey, in behalf of the committee, and as chairman of the same, presented and read to the meeting the following

ADDRESS AND REPORT.

The committee to whom was referred the subject of controversy between the Northern and Southern States of the Union, have had the same under consideration, and beg leave to report the following as an address to the citizens of Mississippi, together with the accompanying resolutions.

The subject was approached by them, as it should be by this meeting, in full view of its solemnity and importance. Not as a common-place topic—not as a mere question of expediency on a matter of secondary consideration, but as one in which our dearest rights are involved—rights which we possessed as citizens of independent States, and which are reserved to us by the constitution of the United States. In our action on this important subject, it is the dictate of prudence that we should place ourselves on that foundation which may be furnished us by the aid of calm and deliberate reason. The time seems to be propitious to dispassionate deliberation. The excitement which was aroused by the efforts of our Northern brethren in the last Congress, has passed away, and a temporary calm has succeded. The poignant sting of fresh wounds has subsided. Reason has swept away the turbulence of passion, and resumed its accustomed dominion. We approach the subject, not in anger, but in sorrow. We vene-

rate the Union — we venerate the memory of the illustrious men who cemented us as a family of nations — as one people; and we would hold out as an example to their sons, the recollection of the spirit of forbearance — of moderation — of compromise — of equal justice and true patriotism which governed them in their great work. Would that the same spirit could now prevail in the different portions of our Union.

Nor do we agitate, unnecessarily, this alarming question. We cannot be justly charged with such agitation. Gladly would we see it put to rest forever. But we are admonished by the past what we may expect in the future. On former occasions, we have been told, in the recess of Congress, that all cause of alarm had ceased—that the question was at rest, but as often have we been disappointed. At every succeeding session it has been revived with renewed energy and vigor, and with increased friends. We cannot be indifferent to the warning furnished by these examples. We see no abatement of energy in the pursuit of what seems to be a settled design to encroach upon our rights until they shall be destroyed. In the prospect of approaching danger, it becomes us to avert it if possible, but to prepare to meet it if it must come. The true patriot will endeavor to ward off the catastrophe which threatens to be fatal to his country, before it does its work of destruction. We have met, not only in defence of our individual rights, but in defence of our common country; and we would fondly hope that our timely warning may save our Union unimpaired. We meet not to agitate—not to act, but to prepare for action when the occasion my be forced upon us. We invade not the rights of any.

This much we have deemed it proper to say in vindication of the objects and motives of the present meeting. We would briefly turn our attention to the principles upon which we place our reliance.

As early as 1783, Virginia ceeded to the confederation the territory which has since become Ohio, Indiana, Illinois, Michigan, and Wisconsin, on condition that it should be laid off into States which should be admitted into the Union with "the same rights of sovcignty, freedom, and independence as the other States." In the ordinance of 1787, passed by Congress, for the government of the Northwestern Territory, was inserted, in direct infraction of the deed of cession, a proviso which prohibited African slavery in the ceded territory. The rights of the citizens of that territory were thereby abridged, and a principle engrafted into the territorial government at war with the principles of government which prevailed in the States, and which prevented even the citizens of the ceding State from emigrating to the new territory with their property. Although slavery then existed in all the States, the southern States were more vitally interested in the question, and the proviso was more oppressive to them. But

in the hope of peace, security, and prosperity, under a more stable government, (then being formed) by which equality of right should be better secured, they too generously yielded to that proviso.

In the convention which formed the Constitution, the question which is now convulsing the country, was a second time raised; it was then fully discussed and understood. The pre-existing rights of the Southern States in their slave property, were acknowledged and specifically guarded by that constitution, which became at once the solemn covenant of the Union of these States, and the potent cause, under Divine Providence, of their subsequent prosperity. The second section of the first article declares that representation and direct taxes shall be apportioned according to numbers, to be determined by adding to the number of white persons, three-fifths of all other persons including slaves. Slaves, then, constitute a basis of representation, not confined in its application, to any particular portion of the Union, but as a general rule. Can Congress alter or abolish that basis, or limit its operation to the old States? We think not. Slaves were regarded in a double aspect — as persons and as property. We ask to be referred to the clause of the constitution which gives Congress any control over the property held by the citizens of the States. In the States where slavery exists, we suppose that no one, with ordinary understanding, who knows any thing of the structure of the Federal Government, whose mind is unobscured by the polutting clouds of prejudice and bigotry, can believe for a moment that Congress has any power over any description of property. We may surely take this position for granted. But if any should be so rash as to doubt it, a glance at the previous condition of the States, and the purposes and objects of the constitution, must satisfy every candid mind. Each State was a separate sovereignty, whose government was organized for the protection of life, liberty, and property; and having, as every sovereignty must, the exclusive protection of these important subjects. By the constitution, no powers were given away, except such as might be necessary to give us a national character, and a national existence, in our intercourse with foreign nations, and such as might serve to bind us together as a family of republics. The States did not surrender their control over persons and property within their limits; that would have destroyed their identity; and all power not delegated by the constitution is reserved to the States.

The constitution of the United States does not create a government with sovereign power, and property is subject alone to the control of a government having such power. Such control is an important attribute of sovereignty. Indeed, the protection to property is the strongest ligament of government. The government created by the constitution is limited. It must look to the consti-

tution alone as the charter of its power, and all its action must be confined within the limit there prescribed. Then no power of interference with property within the States is to be found. This was not one of the evils of the articles of confederation, which gave rise to the formation of the constitution.

But it has been contended, and doubtless will be urged again, that although this be true as regards the States, still Congress has unlimited power to legislate for the territories. We shall not now controvert the claim of power; it is no part of our present purpose. But suppose it be possessed, the question is, how may it be exercised? We answer, it must be in strict subservience to the principles of the constitution. Congress cannot, by any legislation, defeat, qualify, enlarge, or subvert, one principle contained in that instrument, because they are cardinal principles in our Union. They constitute the being or essence of Congress, as an organized body, and limit its official power. The principles of government, embraced in the constitution pervade the whole Union; they are universal. Every man in every State has a common interest in having them faithfully observed.

The territories are common property, subject to be occupied by the people from any portion of the Union, in the same freedom they enjoyed in the States, both as to their persons and their property. If power to legislate for the territories to the extent claimed is possessed, it may be exercised without limit, unless that limit be found in the constitution. Legislative power, within the meaning of the constitution, is a limited power, confined to particular subjects, which can only be exercised in subordination to certain great principles. That is the extent to which legislative power is conferred on Congress; all beyond it is usurpation. Suppose there should be slaves in any of the new territories, would an act of Congress prohibiting slavery produce immediate emancipation? Such would be the effect of unlimited power to legislate.

Has Congress the power to say what is or what is not property in the territory belonging to the people of the United States, or to regulate the amount they may acquire, or to take from the citizens there that which they really possess? Such a power does not belong to any regular government on earth. We repeat, that no power has been given to Congress, over property within the States, and no power can be exercised over it in the territories, detrimental to the unqualified rights of their owners. As well might Congress prescribe an established religion for the territories, and require every citizen and emigrant to conform to it. That is legislative power in its largest sense, but it is not the description of legislative power conferred by the constitution.

Thus stands, as your committee think, the claim of right asserted for Congress. Nor are these ill-founded pretensions in the least strengthened by the asserted equality of the African with the white man, and the consequent conclusion that he is not, nor

should he be regarded as property. No one, whose will and voice entered into the Declaration of Independence, or the national constitution, believed that the Africans in service, were born the equals of the Caucasian race. The people of the northern States do not now believe it. They treat the negroes amongst them not as equals, in any sense, but as degraded beings, far below them in the scale of creation.

Slavery has existed in all ages of the world, and amongst all nations, savage and civilized, with very few exceptions. It originated, not in a positive or statute law, as has been said it must exist, if it exist at all, but by a universal law of conquest, which the God of nature gave to his highest work, to hold dominion and power over the inferior things of his creation. Where, we ask, is the municipal, or positive law, as it has been called, that authorized the founders of the Jewish empire to hold slaves? By what law was it that the African was bought and sold, and held in perpetual bondage in classic Greece and imperial Rome? And by what authority was it that the modern nations of continental Europe engaged so largely in the slave trade? It was by that universal principle of dominion which constitutes an element in the nature of man, impressed on him by his Creator.

Even England, which now boasts that to touch English soil, is to break the shackles of slavery, was once a dealer in slaves. Where did her favorite virgin queen find an act of Parliament, which authorized her to share the profits of an expedition in the slave trade? There was no positive law which authorized it, nor did a law of prohibition originate in the Parliament house. British judges usurped the power of the legislature, and declared that universal freedom pervaded English soil; and we have reason to fear that their example will find followers in our own land. The right of property in slaves has met a universal recognition. We deny that the service to which the negro is subjected with us, is an injury to him or a detriment to us. To clothe, feed, and protect them, and compel them by moderate labor, to earn such subsistence and care, is to do for them what they would not do for themselves. All experience has shown that their best, their happiest, and most elevated condition is in servitude. Out of it, they degenerate into vice and ignomy which degrade the form they wear. It is the place assigned them by the God of nature in the great scheme of creation.

But the people of the northern States do not stop at asserting a right to abolish slavery in the territories. They seem to hold in utter disregard, that the provision in the constitution which authorizes the owner to recapture his fugitive slaves wherever he may be found. This is a provision which can admit of no dispute, and its violation can admit of no excuse. This is not fidelity to their government, which is one of the duties of christianity, in the name jo which they profess to act. How unlike the example set them

by the apostle Paul, in sending home to Philimon, his runaway slave, imploring for him forgiveness. We lament their misguided zeal, their false philanthrophy, and in the name of our common country we implore them to beware, lest they drive us to extremities which will be fatal in their results. It is not for them to determine whether slavery is a blessing or a curse to us. That question we reserve to ourselves. And whilst they may profess not to interfere with it here, yet we cannot be mistaken as to the ultimate end which they desire to accomplish.

The delegation from this State, in the last Congress, with entire unanimity, have given the history of the progressive encroachments on our rights, and have pointed out the evils to be apprehended. As faithful sentinels, they have warned us of approaching danger, and are entitled to our approbation. As citizens of a southern State, it becomes us to vindicate the sovereignty of that State, and it is proper that the whole South should act with unanimity.

The legislature of Virginia, in March, 1847, passed resolutions condemning the Wilmot Proviso, and asserting the rights of the southern States; and again in January, 1849, by an overwhelming vote, re-affirmed the resolutions of 1847, and passed others, protesting against any action of Congress on the slave trade and slavery in the District of Columbia. Those resolutions clearly and forcibly set forth the constitutional rights of the South, and we would give them our most unqualified concurrence.

We cannot but regard any legislation, by Congress, either past or to come, which in any degree, either directly or remotely, may seem to give sanction to the authority of that body over the subject, as void for want of power, and in its tendency destructive of the principles of the Union, which should be held inviolable in every feature. But whilst we thus broadly assert our constitutional right, it will be with our people to say whether they will meet our brethren of the North in good faith, should it be tendered, in carrying out the Missouri compromise; not as a matter of intrinsic obligation, but by common consent of the people. We deny, most positively, its legal validity as an act of legislation. A constitutional principle admits of no compromise by Congress. To compromise was to assert and excercise the right to do so, and the consequent right to legislate on the subject, which we utterly deny.

Your committee have thus endeavored to point out and maintain our rights, and to show the extent of the injury threatened, but do not feel authorized, representing, as they do, but a small portion of the State, to prescribe the course which should be pursued by the people of the whole State. It is a question of State sovereignty on which the people of the whole State should speak; and let their voice be heard, also, through the Legislature, the organized

representative of State soveignty. We, therefore recommend the adoption of the following resolutions:

Resolved, That it is most important to obtain a general expression of the will, understanding, and voice of our fellow citizens of Mississippi, upon the issue presented, in relation to the territories of the United States, and the question of domestic slavery.

Resolved, That to that end, we respectfully, but solemnly recommend to them to hold, immediately, in each and all of the counties, a primary meeting of the citizens respectively, for the choice of delegates, to meet in convention at the Capitol, on the first Monday in October next, in order to express, in a more explicit and concentrated form, the will, understanding, and voice of the whole people of this State.

Resolved, That as the controversy involved, is one on which it is impossible that any party differences in this State can exist, and in order to prevent any undue assumption, or suspicion on this score, we urge it as proper and necessary, that there should be an equal number of each of the great political parties in the delegates so to be chosen, and that to effect that object, the delegation ought to be double that of the representation of the State, in the House of Representatives.

Hon. John I. Guion moved that the report be received, and address and resolutions adopted; which motion being put by the chair, the report was received, and the address and resolutions were unanimously adopted.

Geo. S. Yerger, Esqr., then addressed the meeting, in explanation of his views of the report and resolutions; and was followed by Hon. John I. Guion, and Messrs. John Marshall and John M. Chilton, Esqrs.

On motion of the Hon. A. Hutchison, the Hon. Jefferson Davis was respectfully invited to address the meeting.

In compliance with the invitation, the Hon. Jefferson Davis addressed the meeting at some length, and in an appropriate and impressive manner.

On motion of the Hon. John I. Guion,

Resolved, That the address and resolutions and proceedings of the meeting be published in the "Mississippian" and "Southron," and that all the public papers in the State be also requested to publish them.

On motion of Col. C. S. Tarpley, the meeting then adjourned.

J. W. MATTHEWS, *President.*

D. W. ADAMS, *Secretary.*

Jackson, Miss., May 7, 1849.

SOUTHERN STATE CONVENTION.

Minutes of the Convention of Delegates appointed by the people of the State of Mississippi, convened in the city of Jackson, on Monday, October 1, 1849.

On motion of Hon. T. H. Williams, of Pontotoc, Hon. George Winchester, of Adams, was appointed President, *pro tem.* of the Convention.

On motion of Hon. John I. Guion, Col. G. R. Fall, of Hinds, was requested to act as Secretary; and on motion of Gen. T. N. Waul, of Yallobusha, J. A. Orr, of Chickasaw, was appointed assistant Secretary.

The delegates from the various counties came forward and registered their names.

On motion of Gen. Waul, Hon. D. Wallace, of South Carolina, was invited to a seat within the bar.

On motion of Hon. T. H. Williams, a committee of ten was appointed to recommend officers for the Convention.

The following gentlemen were appointed said committee, by the Chair.

T. H. Williams, of Pontotoc; J. I. Guion, of Hinds; Saml. Jayne, of Lawrence; T. N. Waul, of Yallobusha; G. G. Skipwith, of Issaquena; James Whitfield, of Lowndes; H. C. Chambers, of Rankin; R. T. Archer, of Claiborne; J. M. Chilton, of Warren; J. M. Sharpe, of Yazoo.

The committee retired and through their chairman, Hon. T. H. Williams, reported for President, Hon. W. L. SHARKEY; Vice-President, His Excellency JOS. W. MATTHEWS.

Secretaries, J. A. ORR, of Chickasaw, W. A. PURDOM, of Holmes; which report was received and adopted.

The Hon. W. L. Sharkey was conducted to the chair, and addressed the Convention in a lucid and forcible manner, explanatory of the objects for which they had convened. The following are his remarks:

Gentlemen o the Convention—Whilst I sincerely thank you for the honor you have conferred on me, I regret that the important duty was not assigned to some one more competent than myself. I dissemble not, in declaring that this honor was not expected by me, and hence feel more embarrassed in addressing you.

The subject of your contemplated deliberations is an important one. Nothing less than a question involving in its consequences, the liberty of this people—perhaps directly or remotely the liberty of other nations. I trust that you will approach it dispassionately—

that you will lay aside your party predilections, and meet it, not as politicians, but as patriots—as statesmen. We had flattered ourselves that the capacity of man for self-government was no longer a subject of doubt. We have boasted of ours as an example of a free government, based on an enduring foundation. I trust it may prove so, but events of recent occurrence seem to forebode danger. The convocation of this assembly—the intense interest manifest in every countenance here, are proofs that there is cause of alarm. For a time, we have been prosperous and happy under a free government; but that time, in the great history of man, is but a brief space, a mere point. The page of history is yet fresh which records our existence as a nation of freemen. Scarce has the stain of revolutionary blood, shed for liberty, faded from the face of the land, before it has been found necessary for the people of the South to prepare to check threatened aggression. And whence this danger? No foreign foe threatens us. Our countrymen, our brothers, are arrayed against us in civil strife. They seem to forget that they are allied to us by the most sacred ties, and to forget the value of the Union. Blinded by the poison of fanaticism, they seek to abridge our constitutional rights in the enjoyment of our property, under the mask of false humanity. If the right to do so was unquestionable, in christian charity, it should be asserted without inflicting remorseless stings to our sensibilities. The entire independence of the States was achieved by the most memorable struggle that history records. They were separate and independent sovereignties, and first united under articles of confederation. These articles were defective, mainly in not having provided proper means for raising a revenue, and in not giving Congress sufficient power to regulate commerce. These defects gave rise to our present constitution. In the convention which formed it, the States met as equals in political power. The small States were unwilling to relinquish their equality of power; the slaveholding States were unwilling to confederate, unless their slaves should be made a basis of representation, and the owners secured in their right. These were exciting subjects. After great difficulty they were compromised. The second section of the first article provides that representatives and direct taxes should be apportioned according to numbers, to be ascertained by adding three-fifths of the slaves to the number of whites. The second section of the fourth article provides for the recapturing of slaves escaping into those States where slavery did not exist. In these provisions we have an acknowledgment of the existence of slavery, and a guaranty for its production as the basis of representation, and as property. The constitution did not create property in slaves. Such right existed anterior to, and above the constitution. As slaves were owned in many of the States, they would not of course have entered into the confederacy on such terms as would weaken the right of the owner to his slave, or diminish the value. One of the great objects of the constitution was, that it should, in its consequen-

ces, protect property by giving protection and strength to the several States. But as the States were sovereign, they could not surrender to Congress the right to control, by legislation, the property of their citizens. Such a grant of power would have been a complete surrender of sovereignty. A great consolidated government would have risen up, which was an evil, of all others, most dreaded, and most rigidly guarded against, by declaring that all power not expressly granted to Congress, was reserved to the States or to the people. Hence no power can be exercised unless it has been granted by the constitution. The safety of the States and of the people is best preserved by holding Congress strictly within the limit of the delegated powers. No rule of construction can be safe which encroaches upon individual rights. The right to hold slaves as property became a fixed principle, inseperable from the other provisions of the constitution. Indeed, that description of property seems to have been thought worthy of specific and special protection. The constitution must exist and harmonise in all its parts. Every principle it contains is inseperably connected together. It is an entire thing, being the great frame work of the government, indissolubly united in all its parts; it would not have been formed without the insertion of every feature; it is an infraction to violate any of them; the symmetry is broken.

Notwithstanding this unqualified recognition of property in slaves, and the protection provided for its enjoyment as such, still it is contended that Congress may prohibit and abolish it in the territories of the United States. The territories are common property, and cannot be appropriated by Congress to the use of one portion, the common owners, to the exclusion of another. Equality of right must then prevail, and any act which would destroy that equality cannot be valid. It is a principle in the law of nations, that "all the members of the community have an equal right to the use of their common property." Rules may be prescribed by the sovereign power, regulating the manner of its use, provided they are not inconsistent with that entire equality which ought to be preserved. If the sovereign authority in a State or nation can do nothing which shall produce inequality in the enjoyment of the public domain or property, surely such authority is not possessed by the Federal Government, which has but a limited power. The attempt by Congress to prohibit slavery in the territory of California, has caused this meeting. That territory is common property. There, each citizen of the United States has equal rights, is entitled to equal freedom in the enjoyment of the territories. I am proud to say, that in acquiring it, Mississippians displayed as much valor as any other portion of their brethren in arms, and shed as much blood, in proportion to their numbers, as the citizens of any of the States. They were distinguished for their prowess in many a hard fought battle, but now they are to be told that restrictions must be imposed on their right to enjoy the conquest. Can we, should we yield the

fruits of our valor, and surrender with it our constitutional right of equality? Congress cannot deprive us of it, and ought not if it could; cannot say, that if we go, we must leave our property behind us. Property constitutes the means of enjoyment, and to exclude the property of the people of the Southern States, is in effect to exclude the people, and appropriate the country to the Northern States. Such a power is not possessed by a government possessing sovereignty; it could not be rightfully exercised even by a monarchy. The property of the South consists mostly in slaves, and to interdict its use on our own soil, would not only be unjust, but an arbitrary violation of the constitution. It is vain to talk of our right to the territories, if we may be deprived of the means of enjoying those rights. The mere soil is nothing; it is the use that we may make of it which renders it valuable. As well might Congress interdict the use of any other property there; if it can exclude a slave, it may exclude a horse or an ox. We do not derive the right to hold either from the constitution. That instrument is but subservient to their use. But why is it that we must be deprived of this privilege? Because, say our Northern brethren, slavery is a moral and political evil. Who has the right to determine that it is so? Let them eradicate moral evils from their own land; we can take care of our own morals. Is it possible it has come to this, that Congress has the right, under a limited grant of power, to travel into the wide field of ethics, and regulate our moral conduct? That is a question for our conscience. Morality is twin sister to religion; they are as inseparably allied as cause and effect; the power to regulate one necessarily implies the power to regulate the other. Is it possible, that in defiance of the guards in the constitution, Congress will encroach on so delicate, so sacred a subject? If there is anything dear to an American, it is his liberty of conscience—his right to worship God at the altar of his choice. I must admonish my Methodist and Baptist friends to be on their guard; you may soon be told that your religion is a moral evil, and must be exterminated, for if Congress has the right to legislate on the ground of moral evils, "to this complexion must it come at last." But who has a right to say that it is a political evil? We do not find such a doctrine inculcated by the constitution. Congress may decide on questions of expediency within the range of the delegated powers; but that cannot be a political evil, within the reach of its legislative power, which is secured to the citizen and prohibited to Congress. Congress has no power to say that constitutional rights are political evils. To that body, nothing is a political evil which is secured to the States or to the people. Moral and political evils are themes which open wide fields for investigation, and if Congress may occupy them as the ground work of its action, the constitution is worthless. Instead of a limited, we have an unlimited government. If the people, the fountain of power, should determine, that a political evil exists, they may apply the remedy, but it is not with Congress. This political

and moral evil, it seems, is exclusively in the South, and those who have determined it to be so, and wish to eradicate it, reside in the North. As sovereign States we have the power to judge of, and to correct moral and political evils within our limits. We ask not the interference of the North to correct our morals or our institutions. We do not intrude upon them, but only demand to be permitted to an equality in the enjoyment of our common property. Congress, it is true, may establish a government in the territory, but that government must be founded in equality. It must protect the property of the common owner, as well as his person. Whether this power is derived under the third section of the fourth article of the constitution, or whether it is derived from the power to acquire territory, or the war and treaty making power, is not material, it must be exercised so as to preserve inviolate every principle of the constitution.

But, in the efforts to exclude our property from that territory, another false doctrine is promulgated which is equally disastrous to us. We are told that as slavery was prohibited by the laws of Mexico, we cannot take slaves there without the authority of a law permitting it. This is the doctrine of a class of politicians in our country, who look no further than the surface of the law. If this error were confined to politicians, it might be passed over as harmless, but it is also the doctrine which has been unceremoniously promulgated by a member of the supreme bench. We could overlook the groundless fallacies of a few politicians, but when the sanctity of the bench is perverted, and its influence thrown as an element into the exciting cause of malcontent and strife, there is just ground of complaint. If this could be a judicial question in any shape, that was the tribunal before which it might come. With the decision, the American people would have rested satisfied. Quiet would have been restored. It was a great constitutional question, and on such questions, the people of the United States have been taught to look to the decisions of the Supreme court with veneration; but they have not been accustomed to having them promulgated in advance, and are startled at thus seeing them. The effect is almost as injurious to us as a decision regularly pronounced, because it has deterred the South from an equal participation in the territories, whilst it has emboldened the North to presist in its efforts. It has caused one party to believe that it was right, and the other to fear that it was wrong. From position, it has made "the worse appear the better cause." It is not true, that slavery does not exist in California, although it may have been prohibited by the laws of Mexico. True, the conquering country may permit the municipal laws of the conquered country to remain in force, but this is only true of private or strictly municipal laws; it is not true as regards political laws. By elementary writers, laws are divided into public and private; or political and municipal. Political laws are such as are organic, and confer power and form on the government. They give it vitality as an

organized body. These political laws are sometimes reduced to the form of a constitution, which becomes supreme and paramount to all other laws, either public or private. Our constitution is the law of our being—it is the essence of our government; it is the combination of certain great principles, between each one of which there is a connexion and dependency, and the aggregate constitutes a unit. To withdraw or destroy any one of them would break the entire fabric. It would lop off an essential part of our political power. When we acquired California, it became subject to our constitution —our whole constitution—our constitution as an entire thing. The territory did not become subject to a part of our government only, but every principle of the constitution prevailed there as an active principle, and superseded of necessity whatever was repugnant to any one of them. No abridgement of the rights of the new owners could be permitted. The vested rights of the citizens there, at the time we acquired it, may be protected by a principle not inconsistent with this position. The consequence is, that we have a right to take our slaves there, because they are our property, secured to us as such by the principles of our paramount political law. If it were true, that because slavery was then prohibited by the laws of Mexico, and could not be established there without positive law, then the constitution went there a mere cripple. But not so. Wherever the stripes and stars float over a territory, as an emblem of political dominion, they rest upon a perfect pedestal, formed by every principle of the constitution indissolubly cemented together. As well may it be said that our constitution must give place to the established religion of Mexico.

How strange it is, that whilst Congress has no power over the subject of slavery, in consequence of an inhibition, that it should be contended that the laws of the conquered country should secure a prohibition, and thus triumph over our constitutional rights.

Thus, as I conceive, stands the questioon of right; but if it were a question of expediency merely, how ungenerous the conduct of the North. We are united as a family of nations. We may have different local interests, but our obligations to each other, require an observance of good faith, of good feeling, of mutual support and forbearance. With them, it is matter of feeling only—with us, it is a question of interest. Are they not prepared to yield their feelings and their prejudices for the sake of protecting our interest? If not, they have forgotten the objects of the Union—mutual safety, prosperity and happiness dictated it. Are they willing to risk all these for the gratification of a mere imaginary philanthropy? It would seem so. The Wilmot Proviso is but the entering wedge. That accomplished, and the rest will follow. Emancipation in the States is doutless the ultimate object, and we have reason to fear that at no point short of this, will the effort cease. The Union must be dissolved, and the blessings which we enjoy under our government must become a sacrifice on the altar of fanaticism. We must become a de-

graded people, or abandon our country to the African race. We would say to them, beware! You but rush on your own destruction.

It is a subject of deep regret, that the powerful engine of prejudice, is arrayed against us. Enormities are falsely ascribed to us, with a view to excite indignation. They add insult to injury. We are held out as destitute of common mercy—degraded at home and abroad. The means employed, are calculated to excite our slave population and endanger our lives. We hope and believe that there are still a few at the North, who value the Union, and do not engage in this unnatural warfare. Our Union should be social as well as political; amity should prevail between the different divisions. But the ties that bind us, are being daily weakened, and the love of the Union diminished. We have remonstrated, but in vain. We yield to none, in a deep and abiding love for the Union. We wish not to sever it, but to re-cement it. We can vindicate it, only by keeping it inviolate. We would preserve it in all its purity. We want it as our fathers gave it to us, and must defend it against infraction as a sacred duty we owe to their memory. The South has borne with these encroachments, under a hope that a sense of justice would ultimately correct the evil, but of this, there seems now to be but little hope. We must take our stand. Let us survey the ground well, and occupy that position, on which we can stand within the pale of the constitution; and when taken, let us maintain it, like men who know their rights, and are determined to protect them. We are not the aggressors, and if the result should prove disastrous, let the blame rest on those who have provoked the quarrel.

Thus, gentlemen of the convention, I have endeavored to point out what I regard as our constitutional rights. The evils you know. The great and serious inquiry is, shall we submit to further degradation.or shall we seek redress? If the latter, how is it to be obtained? Let me again allude to the importance of the subject—again entreat you to weigh it well, calmly and dispassionately. We meet not here to discuss an ordinary topic. Here we can have no party preferences. We are joint owners of this great estate. It is our birthright—our inheritance. We may have our honest differences of opinion about its management by our agents, but when the whole is about to be swept from us, we cannot differ as to the necessity of its preservation. Let us confer together as patriots. Our country is above our party. Such feelings I trust and believe you all entertain, and hope that they may lead to wise and happy results.

Col. G. G. Skipwith moved that the counties be represented in the Convention, in the same numbers as in the lower House of the Legislature.

Hon. A. Hutchinson asked the gentleman to amend his resolution, by inserting double the number of the representatives in the

lower House—a large number of delegates having been elected under this rule.

The amendment was accepted, and on motion, the resolution so amended was adopted.

Judge Winchester said, that in view of the fact, that the Convention would likely draw up an address and resolutions on the subject for which they had convened, it was proper that there should be a previous understanding of their scope and character. The great point to be kept in view, was the preservation of the Union, as well as to sustain the rights of the South; and the latter, he conceived, could only be done by the preservation of our slave institutions. Here the Judge read a long exposition of his peculiar views.

Judge Guion and Col. T. H. Williams, presented their credentials as alternates from Tishemingo.

The Hon. E. C. Wilkinson gave notice, that on to-morrow, he would introduce a resolution to appoint a committee of — members, of whom the President of this Convention shall be Chairman, to prepare and report such resolutions or address as they may deem expedient.

On motion, the Conventiou adjourned until to-morrow morning at 9 o'clock.

TUESDAY MORNING, Oct. 2, 1849.

The Convention met pursuant to adjournment. Hon. W. L. Sharkey, President, addressed the Convention in amplification and further elucidation of the positions assumed by him on yesterday.

On motion of Gen. Waul, a call of the roll was had.

On motion of John I. Guion, the journal of yesterday's proceeding was read.

Theodore Fitler and George R. Fall appeared as delegates from the county of Hinds, to fill the vacancies of Gen. Jefferson and Dr. Catchings.

Gen. Patrick Henry, a delegate from the county of Madison, appeared and registered his name

A. C. Baine and A. Hutchinson, appeared and took their seats as delegates from the county of Winston.

E. C. Wilkinson, in accordance with the notice given yesterday, introduced the following resolution:

Resolved, That a committee of — be appointed by the President, to prepare and report to the Convention, definite matter for its action; and that the President of this Convention be requested to act as Chairman of said committee.

Dr. Yandell moved that the blank in said resolution, be filled with the word *ten*.

Pending said motion, Dr. Yandell yielded to a call for a division of the question, and thereupon, the first clause of tha resolution was adopted.

A. Hutchinson moved that the blank be filled with the number *thirty*.

T. H. Williams moved, as an amendment, that the blank be filled with the word *sixteen*, four from each Congressional District, which was adopted by the Convention.

The President announced the names of the following gentlemen, as constituting the committee, under the first clause of the resolution introduced by E. C. Wilkinson, to-wit:

First District.—His Excellency, Gov. Matthews, Hon. John I. Guion, Hon. Thos. H. Williams and W. H. Smith.

Second District.—Gen. T. N. Waul, G. N. Gordon, E. R. Burt and A. C. Baine.

Third District.—Hon. E. C. Wilkinson, J. M. Chilton, A. Hutchinson and Thos. A. Dabney.

Fourth District.—Hon. Geo. Winchester, R. T. Archer, S. H. Johnson and Gen. D. H. Cooper.

T. N. Waul moved that in addition to four members from each Congressional District, that four members from the State at large, be added to the committee, which was adopted.

Gen. Patrick Henry moved a reconsideration of the vote last taken, which was lost.

The President announced the following named gentlemen, as appointed for the State at large on the committee, to-wit:—John J. Smith, J. C. McAlpin, M. Blalack and H. C. Chambers.

Geo. Winchester asked and obtained leave to introduce certain propositions, which, on motion, were received and referred to the committee, raised under the resolution of E. C. Wilkinson.

E. C. Wilkinson asked and obtained leave to withdraw the latter clause of the resolution offered by him, relative to the appointment of the committee.

On motion, the Convention adjourned until 4 o'clock, P. M.

6 O'CLOCK, P. M.

The Committee not having reported at 6 o'clock, the Convention adjourned until this (Wednesday) morning, 9 o'clock.

WEDNESDAY MORNING, 9 o'clock.

The Convention met pursuant to adjournment.

The committee appointed to prepare and report to the Convention, definite matter for its action, through its Chairman, Hon. E. C. Wilkinson, reported a preamble and resolutions, which, on motion, were received.

John I. Guion presented a minority report of the committee, which was subsequently withdrawn.

After discussion, James Whitfield moved that each of the reports be printed for the use of the Convention. One hundred copies were ordered.

On motion, the Convention adjourned to meet at 3 o'clock, P. M.

3 O'CLOCK, P. M.

The Convention met pursuant to adjournment.

On motion of James Whitfield, the names of Chief Justice Sharkey, John I. Guion, Gen. W. R. Miles, Hon. Jeff. Davis, Gen.

John D. Freeman and Gov. J. W. Matthews, alternates from the county of Lowndes, were spread upon the journals.

Dr. H. A. G. Roberts appeared and took his seat in the Convention, as the proxy of W. S. Jones, from Hinds county.

Gen. Quitman and Col. Davis were invited to seats within the bar.

The report of the majority of the committee was taken up for consideration; and the minority of the committee having withdrawn their report, the majority report was put upon its passage.

After various amendments, it was unanimously adopted, as follows:

REPORT:

We, the delegates to a convention, called by the people of the State of Mississippi, to deliberate on the means to prevent the unfounded pretension, that Congress has power to legislate on the subject of domestic slavery, and to prohibit its introduction and existence in the territories of the United States, have duly considered the important subject committed to our charge, and make the following report as expressive of the voice of Mississippi.

It is boldly asserted, that Congress possesses an unlimited power of legislation over all the territories belonging in common to the people of the United States—that it, consequently, has power to prohibit slavery in these territories—that the exercise of such power is expedient and necessary, inasmuch as slavery is an evil which must be eradicated from the land. With a few patriotic and honored exceptions, the people of the Northern States seem determined to adopt the Wilmot proviso, or the principle it contains. Every succeeding year brings forth new expedients for the accomplishment of this object. The press, the pulpit, and the ballot-box, have all become tributary to this fanatical hostility to the South. It is vain to hope for an abandonment of this settled design. Submission to our wrongs, provokes perseverance on the part of the aggressors; and it is wise in States, as it is individuals to resist encroachment. Unfortunately, we have been but too passive under former encroachments. Our opponents exult in the passage of the Oregon Bill, as a full acknowledgment of the principle, and build their hopes of further success on that. In this unfortunate controversy, there are but two alternatives—the one is submission, the other resistance. To the one we cannot—we will not consent; the other, we are reluctant to adopt.

In the name of our constituents, we solemnly deny the existence of the power claimed, and protest against its exercise. We assert that it will violate the constitution, and will lead to a dissolution of the Union.

We have not met to discuss the question of power or expediency; they have been argued and re-argued, in and out of Congress, by our statesmen and by our people. We have reasoned and remonstrated in terms of conciliation with our Northern brethren,

until forbearance has ceased to be a virtue. We have warned them of the consequences of perseverance. They have disregarded our remonstrances, and our warnings; they have disregarded the most solemn compromises, in which we yielded too much. They have refused to submit to judicial determination, prefering to decide by the force of numbers. There is no common arbiter; and we, too, must decide for ourselves. That decision is made. We take our stand on the plain principles of the constitution, and intend to maintain it, or sink in the effort.

We assert that Congress has no power over the subject of slavery, within the States, or in the territories. That these states by the revolution; by the Declaration of Independence, and by the treaty of peace, became separate and independent sovereignties, with all the political power of separate and distinct nations; that they are still so, except so far as they may have expressly delegated part of their power to the General Government; that they have not delegated their sovereignty; the Federal Government is not a sovereignty, but a limited federative system, possessing only sueh powers as have been expressly granted to it by the constitution, with such implied powers as may be indispensably necessary as incidents to the express grant. It follows that it can legislate only on the subjects confided to it; and, on them, only in strict subordination to every principle of the constitution. As power is constantly tending to the legislative department, it is inexpedient that Congress should encroach on the liberties of the people and the soveregnty of the States by exercising doubtful powers.

We maintain that the system of slavery was recognized by the constitution—slaves were recognized as property, the full enjoyment of which was guarded and protected; guaranteed by that compact; that Congress has no power over such property. The right of property preceded the constitution—it is co-eval with the history of man; it exists by a paramount law of nature; it is the subject of control by State sovereignty only. This Union never would have been formed, without the full and entire recognition of slavery, and property in slaves, and the guaranty to the owner which is contained in the constitution.

We assert that the territories acquired by the late war with Mexico, are the common property of the United States; that the people of the States have a right to move to it, and enjoy it; to take with them their property, their religion and their liberty. Congress did not create property in slaves, nor can it say they shall cease to be property. To abolish slavery in the territories, is to diminish their value, and limit their usefulness in the States. It is appropriating the whole of the territory to the use of one portion of the people of the United States, to the exclusion of another. The power of Congress to legislate for the territories is a power to protect the citizen and his property, not to declare what is property. Therefore,

1st *Resolved*, That we continue to entertain a devoted and cherished attachment to the Union, but we desire to have it as it was formed, and not as an engine of oppression.

2. That the institution of slavery in the southern States is left, by the constitution, exclusively under the control of the States in which it exists, as a part of their domestic policy, which they, and they only, have the right to regulate, abolish or perpetuate, as they may severally judge expedient; and that all attempts, on the part of Congress, or others, to interfere with this subject, either directly or indirectly, are in violation of the constitution, dangerous to the rights and safety of the South, and ought to be promptly resisted.

3 That Congress has no power to pass any law abolishing slavery in the District of Columbia, or to prohibit the slave trade between the several states, or to prohibit the introduction of slavery into the territories of the United States; and that the passage by Congress of any such law, would not only be a dangerous violation of the coustitution, but would afford evidence of a fixed and deliberate design on the part of that body, to interfere with the institution of slavery in the States.

4. That we would regard the passage, by Congress, of the "Wilmot Proviso," (which would, in effect, deprive the citizens of the slave-holding States of an equal participation in the territories acquired equally by their blood and treasure,) as an unjust and insulting discrimination—to which these States cannot without political degradation, submit; and to which this convention, representing the feelings and opinions of the people of Mississippi, solemnly delare they will not submit.

5. That the passage of the Wilmot Proviso, or of any law abolishing slavery in the District of Columbia, by the Congress of the United States, would, of itself, be such a breach of the federal compact as, in that event, will make it the duty, as it is the right of the slave-holding States, to take care of their own safety, and to treat the non-slave-holding States as enemies to the slave-holding States and their domestic institutions.

6. That the legislature is hereby requested to pass such laws as may, in their opinion, be best calculated to encourage the emigration of citizens of the slave-holding States, with slaves, to the new territories of the United States.

7. That, in view of the frequent and increasing evidence of the determination of the people of the non-slaveholding States, to disregard the guarantees of the constitution, and to agitate the subject of slavery, both in and out of Congress, avowedly for the purpose of effecting its abolition in the States; and, also, in view of the facts set forth in the late "Address of the Southern Members of Congress," this convention proclaims the deliberate conviction, that the time has arrived when the southern States should take counsel together for their common safety; and that a convention

of the slaveholding States should be held at Nashville, Tenn., on the 1st MONDAY IN JUNE next, to devise and adopt some mode of resistance to these aggressions; and that this convention do appoint twelve delegates and twelve alternates—being double the number of our Senators and Representatives in Congress—to attend such convention, and that the other slaveholding States be invited to appoint delegates agreeably to the same ratio of representation.

8. That in the language of an eminent northern writer and patriot, "The rights of the South in African service, exist not only *under* but *over* the constitution. They existed before the Government was formed. The constitution was rather sanctioned by them than they by the constitution. Had not that instrument admitted the sovereignty of those rights, it never would have been itself admitted by the South. It bowed in deference to rights older in their date, stronger in their claims, and holier in their nature, than any other which the constitution can boast. Those rights may not be changed—even by a change of the constitution. They are out of the reach of the nation, as a nation. The confederacy may dissolve and the constitution pass away, but those rights will remain unshaken—will exist while the South exists—and when they fall, the South will perish with them."

9. That to procure unity and promptness of action in this State, this convention recommends that a Central or State Association be formed at the Capitol, and affiliated county associations within the several counties of the State.

10. That we recommend to the legislature of this State, that at its next session, a law be enacted, making it the duty of the governor of the State, by proclamation, to call a general convention of the State, and to issue writs of election based upon the ratio of representation in the State legislature, upon the passage by Congress, of the "Wilmot Proviso," or any law abolishing slavery in the District of Columbia, or prohibiting the slave trade between the States, to take into consideration the act of aggression, and the mode and measure of redress.

11. That a committee of six be chosen by the convention to prepare an address to the people of the slaveholding States.

The delegates appointed under the seventh resolution for the State at large, were:

W. L. Sharkey, A. M. Clayton, H. T. Ellett, and G. T. Sturges. *Alternates*—John I. Guion, A. Hutchinson, W. R. Cannon and J. T. Harrison.

First Congressionnl District—Joseph W. Matthews and T. J. Word. *Alternates*—H. R. Miller and J. D. Bradford.

Second District—T. N. Waul and J. B. Cobb. *Alternates*—Reuben Davis and Charles B. Shepperd.

Third Dlstrict—H. C. Chambers and E. C. Wilkinson. *Alternates*—W. R. Hill and Patrick Sharkey.

Fourth District—Geo. Winchester and D. H. Cooper. *Alternates*—David Hurst and Henry Mounger.

The committee appointed under the last resolution, to prepare an address, is composed of W. L. Sharkey, A. Hutchinson, George Winchester, C. R. Clifton, W. R. Hill, Jno. I Guion and E. C. Wilkinson.

On motion of John I. Guion, a committee of three was appointed to collect the proceedings leading to the convening of the Central Meeting, the proceedings of said meeting, and the proceedings of all the county meetings appointing delegates to this convention, as far as practicable, and the proceedings of this convention, and to have them transcribed into a book, and deposited for safe-keeping with the President of this Convention. Jno. I. Guion, A. Hutchinson and D. Shelton, were appointed said committee.

On motion of James Whitfield, it was

Resolved, That the President of this convention be hereby requested to furnish a copy of the address delivered by him on his induction to the chair, for publication with the proceedings of this body.

On motion, the President and Secretaries were instructed to sign the proceedings of this convention, and that the papers of this State, and the papers of the Southern States, be requested to publish them.

On motion of T. H. Williams, the thanks of the convention were tendered to the President and Secretaries, for the ability and industry with which they had discharged their duties.

On motion of T. N. Waul, the convention adjourned *sine die*.

W. L. SHARKEY, Pres't.

J. A. ORR,
W. A. PURDOM,
Secretaries.

ADDRESS OF THE COMMITTEE OF THE MISSISSIPPI CONVENTION TO THE SOUTHERN STATES.

To the People of Virginia, Maryland, Delaware, North Carolina, South Carolina, Georgia, Kentucky, Tennessee, Louisiana, Alabama, Missouri, Arkansas, Florida and Texas, comprising—with Mississippi—in respect to the institution of Negro-slavery, the Southern States.

The people of Mississippi, by their Convention of October last, whose proceedings have been published, have required of us, as a committee, to address you on the subject which called them into that convetion—the past and impending aggressions of the northern section, consisting of the present fifteen non-slaveholding States of the confederacy, with the declared view of subverting that institution of the South. The State of Delaware is here included in the southern section, because her polity in reference to the assailed institution, as yet, remains unchanged. The convention truly, and as explicitly as the period of its deliberations allowed, expressed the will of the people of this State concerning those aggressions, leaving to us the duty of illustrating and urging its views and resolves as to us should seem most conducive to the grand end of preserving and transmitting the Union upon the bases of the constitution which created it.

The *Slavery* which is the object of the prolonged agitation assailment and encroachment, is not any modification of political subjection to which men, capable of social, civil and political equality and self-government are exposed, but is the patriarchal dominion of the free white citizens of the southern States over the negroes among them that are held to service. It is a domestic relation, in which the masters have invested more than a thousand millions of dollars of capital in the labor and service of their slaves. They are the descendants of the negroes transported by Britain to our country during her colonial dependence, for whose sale, prior to the Revolution, Boston, Providence, Newport and New York were the principal marts. All the States declaring independence held slaves; and at the adoption of the constitution, all held them but Pennsylvania. Gradually the northern owners sold their slaves to the southern, and the products have passed down from the Pilgrim sires to their sons as capital. The relation, then, existed prior to and at the adoption of the constitution; and by that compact of the States adopting it, the relation was re-

cognized as an inviolable institution, Pennsylvania concurring that it was a legitimate object of guaranty. By its antiquity, customs and habits; by the reciprocal duties and obligations it imposed; and beyond all, from the physical, intellectual, moral and social inequalities between the white and black races, and the consequent dependence of the latter, the relation had become so incorporated in the communities in which it existed, that, independent of the capital invested, the service became identified with and indispensable to the existence of the States connected with and sustained by it.

Although the constitution was ratified by the conventions of the original States adopting it, and accepted in like conventional solemnity by the States subsequently admitted; and although thus it was established, and has ever been embraced as the *compact of the Union*; yet the non-slaveholding States claim the powers through their superior representation in Congress, to prevent the extension of slavery into territories beloging to the United States, and to abolish it in the District of Columbia, and in all places over which Congress may exercise exclusive legislation. They assert that when, by the admission of new States, they shall obtain three-fourths of all, they can amend the constitution and give to Congress a new power to abolish the service even in the States where it may be sanctioned by the local polity. They denounce it as a great moral, social and political evil, for the extension or continuance of which, they became morally responsible by the ratification of the constitution, because, as they say, that instrument delegated to the United States, in Congress assembled, the power to abolish it everywhere within the confederacy.

These opinions of their powers under the constitution, and of the moral responsibilities they assumed by becoming parties to the compact of Union, are cetainly not in accordance with the understanding of the patriots who adopted the constitution. *They* were not enlightened with the deep discoveries of the social-reform-philosophy—with the modern development, that all men are born free and equal—that all inequality is moral, social and political evil, produced by laws of marriage, wardship, apprenticeship, education and property, as sustained by existing society and government! *They* were patriots. *They* framed the constitution to perpetuate, and not dissolve the Union. *They* assumed no responsibility under it to destroy the States, in which negroes should be held to a just and necessary service, as a great moral, social and political evil! *They* were christians, and believed no authority higher evidence of the laws of the Creator than the bible. They read in it the commandments—"Thou shall keep holy the Sabbath day—thou and thy man servant and thy maid servant." "Thou shalt not covet thy neighbor's house. Thou shalt not covet thy neighbor's wife, nor his man servant nor his maid servant." "Thou shalt not steal." "Both thy bondmen and thy bondmaids, which

thou shalt have, *shall be of the heathen round about you*; of them shall ye buy bondmen and bondmaids. Moreover, of the children of the strangers that do sojourn among you, of them shall ye buy, and of their families that are with you, which they begat in your land, and they shall be your possession: and ye shall take them as an inheritance for your children after you, to inherit them for a possession: they shall be your bondmen forever."

They did not believe that Christ came to destroy domestic relations, private property or civil government; to supersede Moses and the prophets; to establish an earthly government by denying to Cæsar the things which are Cæsar's; but that He came to establish a spiritual kingdom by emancipating mankind from the bondage of heathenism and corruption, and teaching them their duties to God in all their domestic, social and political relations in this world, whether of husband and wife, parent and child, master and servant, capitalist and laborer, rich or poor, ignorant or learned, ruler or ruled.

His apostles taught: "Submit yourselves to every ordinance of man for the Lord's sake, whether it be the king as supreme, or unto governors, as unto them that are sent by him for the punishment of evil deeds, and for the praise of them that do well." "Servants be subject to your masters with all fear, not only to the good and gentle, but also to the froward." "Exhort servants to be obedient to their own masters, and to please them well in all things, not answering again, not purloining, but showing all good probity, that they may adorn the doctrine of God our Savior in all things." "Let as many servants as are under the yoke count their masters worthy of all honor, that the name of God and His doctrine be not blasphemed." "Masters give unto your servants that which is just and equal, knowing that ye also have a Master in Heaven." "Servants obey in all things your masters according to the flesh; not with eye service as men pleasers, but in singleness of heart, fearing God: and whatsoever ye do, do it heartily, as to the Lord, and not to men; knowing that of the Lord, ye shall receive the reward of the inheritance; for ye serve the Lord Christ." "Knowing that whatsoever good thing any man doeth, the same shall he receive of the Lord, whether he be bond or free." "And ye masters, do the same thing unto them, forbearing threatening: knowing that your Master also is in Heaven; neither is there respect of persons with him."

If the Bible be good authority of the revealed law, slavery, or the domestic relation of master and slave, as it exists in the southern States, is not a moral evil; and if the constitution delegated a power to Congress to prevent its extension, or to abolish it anywhere, the existence of such a power imposed no moral obligation upon the non-slave States, to assume the responsibility of its existence, and to abolish or prevent its extension, as a moral, social, or political evil.

Suppose such a power existed under the constitution; of what benefit would it be to the non-slave States to abolish slavery or to prevent its extension? Would it benefit the free white laborers of those States to place the four millions of slave laborers of the slave States on a social equality with them? The free white and black laborers of the non-slave States would not then be on a social equality with the rich capitalists of those States. If free black laborers are to be socially equal to free white laborers; if they are to associate as equals; to intermarry and amalgamate, and enter into an equal competition to be employed by capitalists of the non-slave States; will not such a social equality place the free white laborers of the non-slave States, in a lower grade of social rank, with the wealthy capitalists of those States? Are free laborers ready to submit to this degradation, and to give up the Union to effect it? And would this benefit the rich capitalists of the North? Would not the principle of socialism be carried out, by a combination of the free white and black laborers, to abolish the laws of property, and of all the domestic relations; and to place all on a social and political level of equality by a universal amalgamation of black and white, and a general communism of property and wealth; overthrowing all existing social communities, destroying all laws, as the cause of social inequalities, and overturning all governments, which support them, according to the social philosophy, that "all men are born free and equal?"

For such a consummation of the new social organization of society throughout the Union, are the people of the non-slave States prepared to dissolve the Union, in order to commence the system of social equality in the slave States, by destroying the domestic relation of master and slave, and with it the existence of those States, as social communities, and political States?

The only clauses in the constitution, which can be construed into a power to prevent the extension of slavery into territories belonging to the United States, or to abolish it in the District of Columbia and other places within the slave States, are these clauses:

"The Congress shall have power to dispose of and make all needful rules and regulations respecting the Territory or other property belonging to the United States." "To exercise exclusive legislation, in all cases whatsoever, over such District (not exceeding ten miles square) as may, by cession of particular States and the acceptance of Congress, become the seat of government of the United States; and to exercise the like authority over all places, purchased by the consent of the legislature of the State in which the same shall be, for the erection of forts, magazines, arsenals, dock-yards, and other needful buildings; and to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this constitution in the government of the United States, or in any department or officer thereof."

It is by construction of these clauses of the constitution, that the power to prohibit the extension of slavery into Territories belonging to the United States, and to abolish it, in the District of Columbia, and in all places over which Congress may exercise exclusive legislation, is based.

To ascertain whether these clauses admit of such a construction, compare them with the spirit, meaning, and general intent of the whole instrument. It will be found upon such comparison that this construction is at war with the entire constitution; and that no such power can be derived by any construction of these merely subordinate clauses, by any sound and honest rule of interpretation.

1st. The constitution was established by the ratification of conventions of six of the now slave States, and seven of the non-slave States. In all its aspects—of a compact of union between the slave and non-slave States, who ratified it; of a delegation of power from the several States to the United States, to create a federal government; of a delegation of limited, express and implied or derived powers, for carrying into execution express powers, executive, legislative and judicial, delegated by the State conventions to the federal government, when created by the United States; of a reservation of all powers not delegated to the United States, or prohibited to the States, to the States respectively, or to the people; of a magna charta of inviolable private rights, guarantied by the conventions of the several States to their citizens, and of the entire constitution, and all laws and treaties made pursuant to it; as a supreme law in each State, by the sovereign will of the people, in convention, in each of the several States, so ordaining and establishing it, by their ratification; it nowhere admits, but, on the contrary, it expressly excludes, the power to prevent the extension of, or to abolish slavery anywhere, under the authority of the constitution.

The constitution was ratified by conventions of the people in six of the existing slave States, and seven of the present non-slave States—though, at the date of its ratification, twelve out of the thirteen were slave States. This ratification was the act of mutually independent, sovereign States, who thereby formed the compact of union, authorized the United States to create a federal government, clothed that government with express powers for express purposes, declared the inviolability of certain natural rights, and ordained and established the whole a supreme law.

Such was the character and relation of the sovereign and sole parties to this compact of union, as confessed by the ratifying clause of the constitution itself. "The ratification of the conventions of nine States shall be sufficient for the establishment of this constitution between the States so ratifying the same."

At the first Congress under the constitution but eleven States had ratified it. The refusal of any three of these eleven, ten of whom were then slave States, to ratify it, would have prevented the estab-

lishment of the constitution. Plain on the face of the constitution as is the sovereign character of the States, and their independent relation to each other in the ratification of it, as a compact of union; plain, too, as it is, that, in its establishment as a constitution, it was ordained the supreme law by the sovereign will of conventions of the people in each State, yet even this has been denied. But, that it was so universally understood before the constitution was ratified, is proved by the Federalist, written by three of the most influential politicians and powerful writers in the Union, expressly to induce the States to ratify the constitution. It did influence the States to ratify it; and these arguments, therefore, are to be taken as high evidence of the understanding of the parties to the compact, before they ratified it.

Alexander Hamilton wrote: "The fabric of American empire ought to rest on the solid basis of the consent of the people. The streams of national power ought to flow immediately from that pure, original fountain of all legitimate authority."

This was an argument addressed to conventions of the people in the several States, to induce them to ratify the constitution, and not to a convention of the people of the United States. By "the consent of the people," the "pure, original fountain of all legitimate authority," he meant the conventions of the people in the several States, who, by their ratification of the constitution, were to establish it, each for itself, between the States so ratifying it, if nine could be induced to do so.

Mr. Madison is still more explicit and particular. He says: "It is to be the assent and ratification of the several States, derived from the supreme authority in each State, the authority of the people themselves. The act, therefore, establishing the constitution, will not be a national act, but a federal act. That it will be a federal, and not a national act, as these terms are understood by the objectors, the act of the people, as forming so many independent States, not as forming one aggregate nation, is obvious from this single consideration: that it is to result neither from the decision of a majority of the people of the Union, nor from that of a majority of the States. It must result from the unanimous assent of the several States that are parties to it, differing no otherwise from their ordinary assent than in its being expressed, not by the legislative authority, but by that of the people themselves. Were the people regarded in this transaction as forming one nation, the will of the majority of the whole people of the United States would bind the minority; in the same manner as the majority in each State must bind the minority; and the will of the majority must be determined either by a comparison of the individual votes, or by considering the will of the majority of the States as evidence of the will of the majority of the people of the United States. Neither of these rules has been adopted. Each State, in ratifying the constitution, is considered as a sovereign body, independent of all others,

and only to be bound by its own voluntary act. In this relation, then, the new constitution will, if established, be a federal, and not a national constitution."

Such was the understanding of the conventions of the original twelve slave States, and of the one non-slave State, of the sovereign character and independent relation they bore to each other in ratifying, and thereby establishing, the constitution.

And what was the condition of the slave States, in relation to this subject of slavery, when they ratified the constitution, and ordained it, and all laws and treaties made pursuant to it, the supreme law in each State? Slavery was so interwoven with their social and political existence, that it could not be abolished without destroying them as States.

The people of no slave State would, by their sovereign will, have ordained and established the constitution, and all laws and treaties made pursuant to it, a supreme law of such State, if it had contained a power to destroy slavery in the slave States, or to prevent its extention into the territories belonging to the United States. Not one of them would have ratified it if it had contained any such power, and it never would have been established as a supreme law in any State. As a compact of union, and as a supreme law by the independent, sovereign will of the people, in conventions of the slave States, whose social and political existence, as well as their equal federal rights to the territories belonging to the United States, were to be secured by it, the constitution, by its establishment by the ratification of nine States, stands opposed to a construction of these subordinate clauses of the constitution which shall give Congress a power to prevent the extension of slavery, or abolish it, anywhere.

Such, too, was the understanding of the conventions of the non-slave States when they ratified it, or they practiced fraud and deception upon the slave States, which would render the constitution a nulity, for want of the *aggregatio mentium* essential to all compacts. But the generation of honest revolutionary patriots who ratified it in conventions of the non-slave States, are liable to no such imputation. They neither believed slavery a sin, nor did they mean to assume the responsibility of removing it, as a moral, social and political evil, by a covert, concealed power, to prevent its extension or abolish it anywhere.

2d. All the declared purposes for which the constitution was framed, ratified and established, are in conflict with such a construction. None of the eleven States who sent delegates to the convention in Philadelphia to frame the constitution, in any of their legislative acts, appointing or commissioning delegates, hinted or expressed it as one of the purposes for framing a new constitution, that the United States should become responsible for the extension or existence of slavery, anywhere, as a moral, social or political evil, and should provide a power to prohibit or abolish it anywhere. No

such purpose was expressed by any proceeding or debate in that convention. None such was urged by the writers of the Federalist, as an argument to induce the conventions of the non-slave States to ratify and establish it. Had any such purpose been avowed, the constitution would not have obtained the assent of the convention of a single slave State, and never could have been established between the slave States and non-slave States.

The purchase of the ten miles square for a seat of government, and of places for the erection of needful buildings within the States, and the exclusive legislation over such places, were not among the purposes for which the constitution was formed, but were only subordinate, as a means used for the accomplishment of the purposes for which the constitution was established; and by no principle of sound and honest interpretation can this subordinate power be construed beyond the purposes for which the constitution was ratified and established, and to which those powers were made subordinate, as a means.

3d. As a delegation of power from the conventions of the States to the United States, to create a federal, representative government, it stands opposed to this construction of these subordinate clauses. The federal government was created by the election of Senators and Representatives to Congress by the States, and the election of a President by the States. Congress, and the President and Senate, under the authority of the constitution, created the judiciary. In the share of representative power preserved to each State, or delegated to it by the other States, in creating and organizing the legislative and executive departments, each State had an equal share of representation in the Senate. In the House, population was adopted as the basis of their respective shares of representative power. Coupled with this principle was another, of serving the nation in war. About two-fifths of the entire population of the free States were liable to serve in war; but it was not so with the population of the slave States. Slaves were property, as well as population. This was adjusted by providing that Representatives, and direct taxes, should be apportioned among the several States according to their respective numbers, by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons. The equity and fairness with which this principle of representation and taxation was arranged, in regard to slave population, as persons and property, between States, is strikingly in contrast with the injustice and inequality by which it is now attempted to deprive the slave States of their joint share in territories acquired by the arms and treasure of all the States!

But this incorporation of slavery, both as persons and property, into the great principles of representation and taxation, in the creation of the House of Representatives, and also in the election of a President, conclusively shows that the non-slave States did not

hold property in the labor and services of a slave to be a moral, social, or political evil; nor did they intend to make the United States responsible for its existence, by conferring a power to prohibit or abolish it anywhere. The thousand million of dollars invested as capital in the labor and services of slaves in the slave States, is recognized by the constitution as private property, and, as such, subjected to direct taxation; while, as domestics in the families of their masters, they are recognized as part of the population of those States, as much so as women and children. To destroy this property, or to abolish this domestic relation, was not a purpose for which the several States delegated to the United States the power to create a federal representative government.

4th. None of the express powers delegated to the federal government by the conventions of the States, to accomplish the great purposes for which the constitution was ratified and established, extend to the prohibition or abolition of slavery anywhere.

The power to provide a territorial government, or to govern the territories, and the exclusive legislation delegated over places purchased within the States for the necessary public buildings, with the consent of the States, are not special powers expressly delegated to accomplish any of the general purposes for which the Union was formed. They are mere subordinate powers, for subordinate purposes, as a means to carry into execution the express powers delegated. Their nature is plain upon their face, even if they were not explicitly shown by the clause—"and to make all laws necessary and proper for carrying into execution the foregoing powers," &c.

It was foreseen, that the United States, by their war and treaty making power, would acquire territories and other property; that such territories would be settled by the people of the States, and, when sufficiently populous, would apply for admission into the Union.

For these purposes, express power "to dispose of and make all needful rules and regulations concerning the territories," so that settlers might become the private owners of the public lands, when surveyed into proper divisions and subdivisions, for public and private sales to individual purchasers, and a power "to admit new States into the Union," was delegated to Congress. To carry these express powers into execution, some government of the territory, during the progress of its sale, settlement, and admission into the Union, is absolutely necessary, for the protection of the rights of the United States in the territories,—of the commissmissioners, surveyors, and registers in the disposal of the public lands—of settlers and purchasers, in their titles and possession of their lands, and in their domestic relations, and rights of life, liberty, and property, as guaranteed by the Magna Charta of the constitution.

This power to govern is, therefore, merely derivitive and subor-

dinate to the express powers delegated over the territories, and extends no farther than to make such laws for the territories, as may be necessary and proper for these purposes of protection. It cannot be construed to extend to destroy domestic relations or title to property validly acquired under laws of the slave States, by setting up territorial laws to destroy such rights; and thus to deprive the slave States of their equal right to settle the territories with their slave property, and to have a voice in the formation of the constitution, to be adopted by the people upon their admission into the Union as States.

The power of exclusive legislation over the ten miles square, purchased for a seat of Government, and over places purchased for needful public buildings, so far from being given to enable Congress to abolish slavery in those places, was given to prevent a State by State laws, interfering with the constitutional right of slave holders taking their slaves into such places, as an example of its purpose.

A State legislature, if the legislation were not exclusive in Congress, might interfere with the domestic relations and private rights of a President, or of members of the Senate and House of Representatives, or of any of the other officers of the federal government, whose duties required their attendance or residence at the seat of government; and especially so, when coming from the slave States with their family domestics, if the seat of government should happen to be located in a non-slave State. "And," as Mr. Madison argued in the Federalist, "as it is to be appropriated to this use, with the consent of the State ceding it; as the State will no doubt provide, in the compact, for the rights and the consent of the citizens inhabiting it; as the inhabitants will find sufficient inducements of interest to become willing parties to the cession; as they will have had their voice in the election of the government, which is to exercise authority over them; as a municipal legislature for local purposes, derived from their own suffrages, will of course be allowed them, and as the authority of the legislature of the State, and of the inhabitants of the ceded part of it, to concur in the cession, will be derived from the whole people of the State, in their adoption of the constitution, every imaginable objection seems to be obviated. The necessity of a like authority over forts, magazines, &c., established by the general government, is not less evident." "All objections and scruples are here also obviated, by requiring the concurrence of the States concerned in every such establishment."

So of the power "to dispose of and make all needful rules and regulations respecting the territory. Mr. Madison remarks, "this is a power of very great importance, and required by considerations similar to those which show the propriety of the former."

What slave State would have consented to the purchase of these places within its limits, had it been understood this power of ex-

clusive legislation could be extended to prohibit the introduction of their slaves, as domestic servants or property, into these places?

5th. As a magna charta guarantying life, liberty, and property and securing equality of rights and privileges to the citizens of all the States, the constitution is directly opposed to such a construction of the clauses in question. As we have already shown, in the principle adopted for fixing the share of each State of representative power in the federal government, and of liability to direct taxation; slavery is recognised in the constitution, both as a private, domestic relation of persons, and as property in the labor and services of these domestics. Congress, then, is here positively prohibited by the Bill of Rights, from passing any law to destroy this domestic relation, or destroy this property any where. It can never be taken from the owner, but by due course or process of law, and by trial in court by his peers. Neither the legislative nor executive power can deprive him of it, but for public use, and then only upon due compensation. Nor can the judiciary deprive him of it, but at the instance of some one claiming by superior title under the laws, where the property or title was acquired—no matter whether the trial of such right be in a State, or in a territory, or the District of Columbia, or in any other place.

Congress has as much power to abolish the domestic relation of husband and wife, parent and child, guardian and ward, master and apprentice, in the District of Columbia, as the domestic relation of master and slave. It would be as easy to show, that a law abolishing the former, is as necessary and proper for carrying into execution their powers, as a federal government, at the seat of government, as a law abolishing the domestic relations of master and slave.

6th. The constitution, and all laws and treaties made pursuant to it, have their force and effect, as a supreme law in each of the States, by the sovereign will of the people of this State, in convention, declared by their ratification of the constitution. It is impossible the convention of any slave State could have understood, that in ordaining and establishing this supreme law, they were providing a law to prohibit the extension of slavery, by forbidding the removal of their own citizens with their families and property, as purchasers and settlers, into territories belonging to the United States, or to prevent their citizens from residing or entering the ten miles' square, purchased for a seat of government; or places purchased for needful public buildings within the slave States, but only with their consent. They could not have understood or intended that the non-slave States, alone, should settle and purchase lands in the territories, and be admitted into the Union as non-slave States, until the number of the slave States should become three-fourths of the States; and then, by an amendment of the constitution, delegate a new power to Congress to abolish slavery in the States themselves. They never thought of it, as an objection to their

ratification of the constitution, that a law could ever be made under it, abolishing slavery in the slave States; and that such law would have the force and effect of a supreme law in each slave State, as if by the sovereign will of the people of such State ordained in convention. The slave States were morally incapable of entering into any binding constitutional compact of Union, thus providing for their self-destruction as communities and States.

The delegation of such a power, by three-fourths of the States, would not be an amendment, but a fundamental change of the constitution. As much so as a change of the federal representative government of the United States into an omnipotent sovereignty of king, lords, and commons, like the king and parliament of Great Britain, with no other restraint upon its unlimited sovereign will, than the checks and balances and magna charta of private unalienable rights, which alone controls the sovereignty of the British government; thus destroying all the fundamental principles of sovereignty in the people of the States; of the Union of the States as independent sovereignties; of the representative character of the federal government; of the delegated nature of its powers; and, of its existence as supreme law by the will of the sovereign people in each State, upon which the constitution is founded.

These clauses of the constitution, for the disposal of the public lands, and for the exclusive legislation of Congress, in the 10 miles square, purchased for a seat of government, and places acquired for needful public buildings, being wholly subordinate, as means proper and necessary to carry into execution the express powers delegated to accomplish the general purposes for which the Union was framed, cannot, by any legitimate interpretation, be construed beyond these express powers and purposes, so as to create a power and a purpose, never contemplated by the parties to the constitution, wholly at war, too, with the sovereign character, the safety, and existence of a large majority of these parties to the compact at the time the constitution was ratified; and a construction, also, in direct conflict with the invioiability of the private rights of the citizens of the States, who established the constitution, and all laws and treaties made pursuant thereto, a supreme law in each of the States.

But it has been asserted, that the constitution of the United States does not extend to the territories; and an argument in support of this strange assertion is founded upon the fact; that the judiciary, created by an act of Congress, is not extended over the territories.

But all the legislative and executive powers of the federal government, within or without the limits of the United States, over property or citizens of the United States, wherever such powers extend or can be exercised, exist wholly by the constitution; and the constitution necessarily extends, as a delegation of powers,

wherever the powers delegated extend or can reach, to secure rights protected by the constitution throughout the world.

Having no constitutional power to prohibit or abolish slavery any where, the people of the northern States are wholly irresponsible, under the compact of Union for its existence as a moral evil any where.

But what is the moral effect of this doctrine, that property in the labor and services of a slave, is against natural law, and cannot exist out of a slave State?

It teaches people in the non-slave States, that it is no crime to covet a neighbor's man servant or maid servant, and that it is no moral or legal crime to steal a slave from his master. Slaves are not only stolen from their masters, when travelling through or visiting the non-slave States, but stealers of slaves have even come from Ohio into the interior of Mississippi to commit these depredations. Men cannot easily discern the distinction that it is any more an offence to steal a slave *in* a slave State, than to steal him when *out of* a slave State, if by the laws of God there can be no property in a human being as a slave. But if there can be no property in the labor and services of a human being, as a slave, how is it that there is such a property in a human being, as a wife, a child, a ward, or an indented servant?

How is it that it is any more the crime of theft to rob or steal from a slave owner a sum of money of the value of his slave, than to steal the slave purchased with such sum of money?

Yet this is permitted with impunity, or rather with approbation, by the people of the non-slave States, by the influence of this doctrine that there can be no property in slaves; a doctrine wholly at variance with the ten commandments, and the practice and teachings of Christ and his apostles. So far from stealing a slave, Paul taught runaway slaves to return to their masters; but the people of the non-slave States, although under a constitutional obligation to restore runaway slaves to their masters, steal them from their masters when retaken, and some of them have passed penal laws preventing reclamation under the constitution and acts of Congress requiring it. But property in slaves is recognised in all the non-slave States. It is recognised, and titles to it pass under the laws of distribution, and of hotchpot in all cases where a master of slaves, owned in the slave States, which make slaves personal property, dies domiciled in a non-slave State. It is recognised where the sale of slaves constitutes the consideration of contracts, which are to be paid and performed in the non-slave States. Innumerable titles to slaves have been acquired from the United States by sales under direct tax laws, and under judgments obtained by the United States in all the slave States.

The enslavement of the savage, brutal, heathen African, by placing him in this domestic relation of obedience labor and service to a christian and civilized master, of the highest superior race in

a land of liberty, seems to be the only means by which that degraded race could be elevated to a condition of civilized humanity. Slaves in the slave States are vastly elevated in the rank of human beings above their race now existing in Africa. Slavery has effected this improvement to a greater extent in a shorter period than any other means which the charitable ever have devised or will devise, for the redemption of the black race from the worse bondage of heathenism and barbarity. When its wise ends are fully accomplished, and slaves are improved by examples around them, to maintain and support themselves, and to be their own masters, and when the condition of society is such as to render their emancipation both safe and expedient, it will doubtless disappear without the aid of laws, and without violence and disorder, as it has, in its own natural course, disappeared in other countries. But laws to confine slavery to narrow limits, hemming it in, and surrounding the slave States with a cordon of assailing States on all sides, seeking their destruction, by preventing its extension into the territories, tend to render it always unsafe and forever impossible to emancipate slaves in the slave States. Such extension does not add to the number of slaves, it only spreads the same number over a greater surface, dispersing them among a greater number of free white inhabitants, lessening the danger of emancipation from proximity of numbers.

Before the next generation (some of whom are born) shall pass away, the free white population of the United States will probably number not less than one hundred and sixty or two hundred millions. Wealth, luxury, the multiplication and division of employments, and among them of inferior and menial offices fitted for emancipated slaves, which will attend upon this vast increase of free white population, would afford an easy means of employment and support, sufficient for all our emancipated slaves, if placed among this white population.

The employment of slave labor in agriculture, or in any employment in which capitalists would be likely to employ them, may become unprofitable, and masters scarce realise an income from the labor of slaves, more than sufficient for their support. It will then become their interest to emancipate them; and if they can do so with safety to their social and political existence, slavery will soon cease to exist. If slaves should be scattered over half the territory of the Union, when this time arrives, they will be surrounded with and in the midst of an overwhelming superiority in numbers of free whites, among whom they will find an abundance of employment in such menial offices as would yield to emancipated slaves an easy support, and slavery may disappear as silently and as unnoticed as in its character of vassalage it has done in England.

In asserting that, by ratifying the constitution, they acquired a power, and assumed a moral responsibility to destroy the slave States, as a great moral, social and political evil, the non-slave

States can have no conceivable purpose but a dissolution of the Union. How well it would read in history that the Union was dissolved upon so extraordinary a dispute between the assailing and the assailed States! A controversy, whether the non-slave States became bound by their constitutional compact to destroy the slave States, as a great moral, social and political evil; !!! to overthrow their social and political existence, by laws of Congress against slavery, as a sin, when the very organization of that Congress itself, is fundamentally based upon that sin of slavery! But why do the non-slave States, by such strange indirection, seek a dissolution of the Union with the slave States?

For years, petitions have been addressed to Congress by women, who claim a social, civil and political equality with men, and by men who admit this equality, demanding the abolition of slavery, as a great moral, social and political evil. And although Congress has no more powers over the subject, and no more right to receive such petitions than if they were petitions to abolish the laws of marriage as a great moral, social and political evil, or than the supreme court of Massachusetts would have, if such petitions were addressed that respectable tribunal; yet a refusal to receive them has raised an outcry, that the great right of petition has been violated. It has also been yielded to by Congress, thereby asserting power to abolish slavery.

State legislatures of the non-slave States have addressed Congress by resolutions asserting their power to prevent the extension of slavery into the territories, and to abolish it in all places over which they have exclusive legislation; denouncing it is a moral evil.

Party conventions of every political complexion have resolved that slavery is an evil which Congress has the power to prohibit in the territories, and abolish in the District of Columbia, on board of all national and merchant vessels, and in all places over which Congress can exercise exclusive legislation. and that the United States are responsible for the longer existence of this evil.

This controversy is a most alarming one to every lover of the Union—its blessings and glories. It is a dispute between fourteen States on the one side, and sixteeen States on the other side, or of fifteen on each side, if Delaware should fraternize with the South. Threats or force on either side, can never settle the controversy by intimidation. The passions of the parties may be good servants, but are bad masters. Interest, justice, humanity, patriotism—the love of the Union, a sense of its great advantages, and of the evils of disunion; the spirit of a past generation of our common ancestors, who achieved our independence, framed the constitution, ratified it, and formed the Union, must come to the settlement of this question inall the States. It is certain the slave States, with the Bible in their hands, while they claim to be christians, and have Moses and the prophets, Christ and his apostles for authorities, can

never admit that slavery is a moral evil—a violation of the laws of God. They can never admit they have ever delegated a power to prohibit its extension into territories belonging to the United States, or to abolish it anywhere as a moral, social, or political evil. They can never admit that the non-slave States assumed a constitutional responsibility for its existence anywhere, because they have power to elect a President and send a majority of Senators and Representatives to Congress, to pass laws to prohibit or abolish it in any place. They cannot yield upon these questions, because their social and political existence as States, as well as their domestic relations and a thousand million of dollars of capital in the property of their slaves as laborers and servants, depend upon their successful resistance of such luws.

If, on the other hand, the non-slave States combine together in the assertion of their power to abolish or prohibit slavery, by electing a majority of Congress and a President to pass such laws; if they persist in the assertion of a moral responsibility to use their power to destroy slavery in the United States, because it is a sin against the law of God, a great moral, social and political evil, it is difficult to perceive how this controversy can otherwise end than in a dissolution of the Union.

If the social philosophy has so far superseded and overthrown the authority of the Bible in the minds of the majority of the people, in each and all of the non-slave States, that against its plain teachings, they insist upon it as their moral duty to make the federal government an instrument to destroy slavery; a duty which they must and will perform, or release themselves from this obligation by a dissolution of the Union, then the malady is incurable; the Union cannot be preserved, however desirable to the South. But surely this Union will not thus be dissolved. When the question is fully and fairly understood, the people of the northern section will come to the rescue of their religion, of their constitution, of the Union, of the fame and good name of their fathers, who ratified that constitution, from the imputation of intending such a fraud and injustice upon the slave States; or from the imputation of passing to their graves, with the sin upon their souls of having permitted slavery to entend to the territories, and of admitting new slave States into the Union, and of not abolishing it in the District of Columbia, and in all places over which Congress has exclusive legislation, when they had the constitutional power to do so. The free laborers of the non-slave States can have no desire to have four millions of slaves made free laborers, to reduce the price of labor, and to degrade them to a level with black laborers, by increasing their dependence, and removing them to a greater social distance from the wealthy capitalists of the non-slave States. Capitalists cannot desire to see the laws of property rendered insecure, by an example of a violation of them on so large a scale. Men in geueral will be unwilling to witness the christian religion under-

mined; all divine and human laws of marriage, and of the whole circle of social and domestic duties and relations abolished; unwilling to witness the whole fabric of existing laws, institutions and governments, this glorious Union of free Republics itself, tumbling into ruins, to give place to this new social organization of perfect equality and liberty, by this first experiment in the slave States.

The Union must and will be preserved. The slave States, in resisting such dangerous and destructive usurpations of the federal government, are defending the constitution and Union. Their positon is wholly defensive; defensive of their domestic relations and their private rights of property; defensive of their laws, upon which these domestic relations and rights of property are founded; defensive of their social and political existence as States; defensive of the constitution and Union; defensive of law, order and good government, of the right of the people to govern themselves by governments and laws of their own making, throughout the world. It is a cause which cannot fall before the social philosophy.

But should the non-slave States combine, to enforce anti-reclamation acts, and continue to pass laws to prevent the extension of slavery into the territories; should they further, also attempt to abolish it in the District of Columbia, and in all places purchased for needful buildings in the slave States; should they also attempt, by an amendment of the constitution, to abolish it in the slave States themselves; what protection have the slave States against these aggressions, and these dangerous usurpations of undelegated power under a constitution by which they ought to be enabled both to protect themselves and possibly save the Union? In discussing this subject with a view to urge the States to ratify and establish the constitution, both Mr. Hamilton and Mr. Madison argued that the States, as organised communities, could successfully resist all such aggressions. Mr. Hamilton said in the Federalist: "The separate governments in a confederacy, may aptly be compared with the feudal baronies, with this advantage in their favor, that from the reasons already explained, they will generally possess the confidence and good will of the people, and with so important a support, will be abled, effectually, to oppose all encroachments of the federal government." "So long as the separate organization of the members be not abolished; so long as it exists by a constitutional necessity for local purposes, though it should be in perfect subordination to the general authority of the Union, it would still be in fact, and in theory, an association of States, or a confederacy. The proposed constitution, so far from implying an abolition of the State governments, makes them constitutional parts of the national sovereignty, by allowing them a direct representation in the Senate, and leaves in their possession, certain exclusive and very important portions of the sovereign power. This fully corresponds, in every rational import of the terms, with the idea of a federal government." "It may safely be received as an axiom in our political system, that the State govern-

ments will, in all possible contingencies, afford complete security against invasions of the public liberty. Projects of usurpation cannot be masked under pretences so likely to escape the penetration of select bodies of men, as of the people at large. The Legislature will have better means of information; they can discover the danger at a distance; and possessing all the organs of civil power and the confidence of the people, they can at once adopt a regular plan of opposition, in which, they can combine all the resources of the community. They can readily communicate with each other in the different States, and unite with their common forces for the protection of their common liberty."

Mr. Madison said: "But ambitious encroachments of the federal government on the authority of the State governments, would not excite the opposition of a single State, or of a few States only. They would be signals of a general alarm. Every government would espouse the common cause. A correspondence would be opened; plans of resistance would be concerted; one spirit would animate and conduct the whole; the same combination, in short, would result from an apprehension of the federal, as was produced by the dread of a foreign yoke; and unless the projected innovations should be voluntarily renounced, the same appeal to a trial of force would be made in the one case, as was made in the other. But what degree of madness could ever drive the federal agovernment to such an extremity?" If the sixteen non-slave States, (if Delaware be included) because by accident, they now exceed the number of the slave States by two, and can send a majority of four Senators to Congress, although the slave States, at the ratification of the constitution, out numbered them by eleven; and because also, they accidentally, by their population, have a larger share of representative power, to enable them to secure a majority in the House of Representatives and to elect a President; if from these accidental advantages they determine by a sectional combination, to elect a majority of free-soil and abolition Senators and Representatives, and a free-soil and abolition President, and thus to make the federal government an engine, step by step, to destroy slavery in the fourteen slave States; first, by excluding slavery from the territories, in order that by admitting new States into the Union, they may increase the number of the non-slave States to three-fourths; second, to abolish slavery in the District of Columbia, or in all places where Congress may exercise exclusive legislation; and lastly, to consummate the course of tyranny and usurpation, by a change of the constitution, and the delegation of an express power to abolish slavery in all the slave States—what means of resistance have the fourteen slave States to secure their domestic relations, their property, their equality of rights, guaranteed to be inviolable by their constitutional bill ot rights, and their existence and independence as sovereign States and equal members of the confederacy? If the alternative, presented by the non-slave States, be a dissolution of their union with the slave States, or the abolition of slavery

in the slave States, either side of this alternative is a dissolution, because, if the slave States submit to it, they cease to exist as States and as sovereign parties to the Union. Resistance to such usurpations is their moral, social and political duty. But the usurping States declare all resistance to such laws on the part of the slave States, rebellion, treason, rovolution and disunion. But these are terms which properly apply to the usurpers of unauthorised power, however cunningly they may seek concealment by an outcry against those who resist the usurpation to support and sustain the constitution and the Union. Are the sixteen non-slave States sole judges of their constitutional power to destroy slavery, and may they use the executive arm, and the army, the navy, and the treasury of the Union, to force fourteen sovereign States to submit to laws abolishing slavery, because it is the right of a majority to judge of the extent of their constitutional powers? or, by their majority in Congress, may they repeal the judiciary act, and re-organise the federal judiciary, and fill the bench with free-soil and abolition judges to sustain their usurped legislation over slavery; and would that court have jurisdiction to bring before it, the fourteen slave States and the sixteen non-slave States, and to try, and judicially decide between them, as parties, the question of constitutional power? Could that court render a decree or judgment between the parties, upon the subject in controversy, which should have the binding effect of *res judicata?* Could the federal government enforce such judgment against the slave States? Such was not the understanding of Mr. Jefferson, Mr. Madison, or the Legislatures of Virginia, Kentucky, and indeed of all the slave States, and of a large majority of the people of the United States when the alien and sedition laws were passed, laws of far less questionable authority than laws prohibiting slavery in the territories. If this Union is to be saved, which is the hope of every patriot throughout our country, and of every philanthrophist throughout the world, it is to be saved by the people of all the States, fully understanding each other upon this dangerous subject of controversy, which mad enthusiasts, mistaken socialists, and aspiring politicians have, during the last thirty-five years, used for purposes of national discord and disruption, and pressed to extremity.

Beside and beyoud a popular Convention of the Southern States, with the view and the hope of arresting the course of aggression, and, if not practicable, then to concentrate the South in will, understanding and action, the Convention of Mississippi suggested, as the possible ultimate resort, the call, by the Legislatures of the assailed States, of still more solemn Conventions—such as should be regularly elected by the people of those States—to deliberate, speak and act with all the sovereign power of the people. Should, in the result, such Conventions be called and meet, they may lead to a like regularly constituted Convention of all the assailed States, to provide, in the last resort, for their separate welfare by the formation of a compact and an Union that will afford protection to their

liberties and rights. In such a crisis, in the language of Mr. Madison, "one spirit will animate and conduct the whole."

This is an important era, not only in our own history, but in the history of the world. Great events are at their birth. By the improvement of steamboats railways and ship canals, a revolution in the commerce and intercourse of the world is struggling into existence. The connexion of the Atlantic and Pacific oceans, if not defeated by European governments, must soon give to the United States, a months advantage in commerce and intercourse with the nations of India and the Pacific ocean, an advantage Europe has hitherto had over the United States, and which will reluctantly be relinquished. Already has England endeavored to sow discord between the States of our Union, by declaring the abolition of slavery to be the policy of her government, which she will promote by all fair means throughout the world. This unfriendly policy declared in a diplomatic correspondence with our government, with a full knowledge that our Union is a confederacy of slave and non-slave States, could have had no other purpose, but to weaken us as a nation by dissolving our Union and embroiling us in civil and servile wars. Our strength as a nation; our success in gaining the commerce of the world; our future growth in wealth and population; the cause of human liberty and the people's rights throughout the world, depend upon *our Union as it is*. Let us be true to our trust. Let us preserve *the Union* and leave slavery to the natural course of events.

We have thus discussed some of the most prominent considerations involved in the fearful controversy, without attempting a consecutive history of the origin, progress and present aim of the crusade. That history has been sufficiently given in the Address of the Southern Delegation in the last Congress, to which the resolutions of the central and primary meetings in this State and the proceedings of the Convention, which followed them, may be regarded as the response of Mississippi. What we have here offered, in obedience to the order of our appointment, is respectfully submitted, in connection with those resolutions and proceedings, to you as our brethren of the South, who, with us, are driven to the alternative of resistance or submission. We urge them upon your, serious, paternal and patriotic examination—indulging the confident expectation that you will perceive the propriety and necessity of meeting our people in the General Southern Convention proposed for the first Monday of June next—and resting assured that, whatever may be the action of the federal government at the present session of Congress, the *South* will be consolidated in vindication and defence of the constitution, and will not prove "recreant to her honor, her right, her interests, her history and her destiny."

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W. R. HILL, JOHN I. GUION,
E. C. WILKINSON.

Pending the reading of which, the following message was received from the House of Representatives, through their Clerk, Mr. Russell:

Mr. President—I am instructed by the House of Representatives to inform the Senate, that they have passed the following joint resolution:

Resolved, The Senate concurring, that the Door-Keepers be, and they are hereby instructed to illuminate the Capitol this evening, at 6 o'clock, P. M., and that the lights be kept burning until 11 o'clock, in commemoration of the 8th of January; in which I am requested to desire the concurrence of the Senate.

The Clerk resumed the reading of the Message from the Governor, which being concluded, on motion of Mr. McAfee, it was laid on the table, and one thousand copies ordered to be printed for the use of the Senate.

On motion of Mr. Bell, the resolution from the House in relation to illuminating the Capitol to-night, was concurred in.

On motion of Mr. Stewart, the Senate adjourned until to-morrow morning, 10 o'clock.

WEDNESDAY, January 9, 1850.

The Senate met pursuant to adjournment.

The journal of yesterday was read.

On motion of Mr. Guion, the reading of the Governor's Message, as copied in the journal of yesterday, was dispensed with.

Mr. J. E. Taliaferro, Senator elect from the Senatorial district composed of the county of Lafayette, appeared, took the oath prescribed by the constitution, and took his seat.

The President then announcced the following standing committees, to-wit:

On the Judiciary—Messrs. John I. Guion, William A. Stone, Walter Brooke, O. R. Singleton and R. O. Beene.

On Finance—Messrs. A. W. Ramsay, J. M. Tait, E. McCoy Davis, James Drain and J. J. B. White.

On Claims—Messrs. W. R. Cannon, A. E. Reynolds and Geo. Torrey.

On Accounts—Messrs. B. Kennedy, T. Jones Stewart, George S. Gollidy, J. E. Sharkey and J. V. Hodges.

On Public Buildings—Messrs. P. S. Catchings, John Bell and W. P. Carter.

On Enrolled Bills—Messrs. J. H Berry, James Drane and S. N. Gilliland.

On Education—Messrs. T. Jones Stewart, J. E. Talliaferro, James McDugald, John Bell and J. Y. Thompson.

On Elections—Messrs. W. P. Carter, J. M. Tait and J. M'Afee.

On Propositions and Grievances—Messrs. O. R. Singleton, J. E. Sharkey and T. J. Hughes.

On Internal Improvements—Messrs. J. S. Alcorn, William A. Stone, J. J. Pettus, W. R. Cannon and Walter Brooke.

On Banks and Currency—Messrs. George Torrey, J. J. B. White, P. S. Catchings, G. S. Golliday and A. E. Reynolds.

On Seminary Fund—Messrs. J. E. Taliaferro, J. J. Pettus, Jas. McDugald, R. S. Greer and T. Jones Stewart.

On Engrossed Bills—Messrs. R. O. Beene, J. M'Afee and T. J. Hughes.

On the Penitentiary—Messrs. R. S. Greer, E. McCoy Davis and J. V. Hodges.

Mr. Cannon presented the petition of E. C. Egleston, jailor of Lowndes county, which was read, and on his motion, referred to the committee on claims.

Mr. Carter asked and obtained leave to introduce the following resolution:

Resolved, That the Door-Keeper be, and he is hereby authorised to employ a youth to act as messenger of the Senate.

Which was read, and on his motion, adopted.

Mr. Torrey asked and obtained leave to introduce a bill to be entitled, an act relative to the drawing of jurors in the county of Claiborne; which was read the first time, and on motion of Mr. Torrey, the rule was suspended, and said bill read a second time forthwith by title; and on motion, the rule was further suspended, the bill considered engrossed, read a third time, put upon its passage and passed.

Ordered, That the title of said bill stand as stated.

Mr. Greer presented the petition of Richard Philips and James L. Philips; which was read, and on motion of Mr. Greer, referred to a select committee of three.

The President appointed on said committee, Messrs. Greer, Kennedy and Cannon.

The following message was received from the House of Representatives through their Clerk:

Mr. President—The House of Representatives have passed a resolution from the Senate of the following title, to-wit: A resolution in relation to the assessment rolls of Harrison county for 1841.

The House have passed the following joint resolution, to-wit:

Resolved, (the Senate concurring) That the two Houses meet in the Hall of Representatives on this day, at 12 o'clock, for the purpose of counting the votes for Governor.

In which, I am instructed to desire the concurrence of the Senate.

On motion of Mr. Cannon, said motion from the House was

taken up and read; and on the further motion of Mr. Cannon, the resolution in said message was concurred in.

Mr. Brooke asked and obtained leave to introduce a bill to be entitled, an act to change the venue of trial of certain slaves from the county of Sunflower to the county of Carroll, which was read the first time; and on motion of Mr. Brooke, the constitutional rule was suspended, and the said bill read a second time forthwith by its title; and on the further motion of Mr. Brooke, the rule was further suspended, the bill considered engrossed, read the third time, put upon its passage and passed.

Ordered, That the title stand as stated.

On motion of Mr. Kennedy, the Senate took a recess of thirty minutes.

The recess having expired, the President called the Senate to order.

Mr. Greer asked and obtained leave to introduce the following resolution:

Resolved, That the Door-keeper be instructed to inform the publishers of newspapers sent into the Senate chamber for distribution among the Senators, that there will be no appropriation made out of the public treasury to pay for the same.

Which was read, put upon its passage and lost.

Mr. Brooke asked and obtained leave to introduce the following resolution:

Resolved, That the Door-Keeper be required to furnish each Senator with one copy of the Daily Mississippian and Tri-weekly Southron, for which the subscription price shall be allowed the publishers.

Which was read, and on motion of Mr. Brooke, the same was adopted.

The following message was received from the House of Representative through their Clerk, to-wit:

Mr. President—The House of Representatives have passed a Senate bill of the following title, to-wit: A bill to be entitled an act in relation to the drawing of jurors in the county of Claiborne.

I am instructed by the House of Representatives to inform the Senate, that their Hall is now in readiness for the reception of the Senate, to the end that the two Houses proceed to count the votes for Governor.

And thereupon, the Senate proceeded forthwith to the House of Representatives, and took the seats assigned them in the Hall of the House.

The President of the Senate having explained the object of the joint assemblage, the vote for Governor was announced by the Speaker, as follows:

Official returns of the vote for Governor.

Counties.	Quitman.	Lea.
Adams	448	453
Amite	350	348
Attala	840	471
Bolivar	51	80
Carroll	949	791
Chickasaw	1134	824
Choctaw	927	713
Claiborne	398	385
Clarke	439	160
Covington	345	53
Coahoma	149	184
Copiah	753	413
Desoto	956	918
Franklin	290	215
Greene	173	64
Hancock	276	97
Harrison	367	172
Hinds	875	1014
Holmes	583	578
Itawamba	1318	593
Issaquena	99	102
Jackson	347	20
Jasper	512	247
Jefferson	520	342
Jones	207	72
Kemper	739	415
Lauderdale	778	371
Lawrence	632	99
Leake	396	294
Lafayette	840	622
Lowndes	773	681
Marion	280	58
Madison	509	557
Monroe	1224	756
Marshall	1477	1261
Neshoba	317	237
Newton	375	179
Noxubee	589	518
Oktibbeha	472	370
Perry	121	131
Pike	529	159
Pontotoc	1235	785
Panola	525	583

Official returns of the vote for Governor.

COUNTIES.	QUITMAN.	LEA.
Rankin	461	311
Scott	344	128
Simpson	285	195
Smith	452	123
Sunflower	73	52
Tunica	35	23
Tippah	1674	1001
Tishemingo	1432	734
Tallahatchie	255	223
Warren	533	716
Washington	80	92
Wayne	69	76
Wilkinson	352	412
Winston	616	268
Yalobusha	1008	749
Yazoo	531	508
	33,117	22,996

RECAPITULATION.

Mr Quitman received	33,117
Mr. Lea "	22,996
Whole number of votes cast	56,113

The Speaker of the House announced that Gen. John A. Quitman having received the highest number of votes polled at the late November election, for Governor, is duly and constitutionally elected Governor of the State of Mississippi for the time prescribed by the constitution.

The joint meeting having accomplished the object of their assemblage, the Senate withdrew to their chamber

Mr. Cannon asked and obtained leave to introduce the following resolution:

Resolved, (the House of Representatives concurring) That a joint committee on the part of the Senate, and —— on the part of the House, be appointed to wait on the Governor elect and know of him when it will be his pleasure to be installed into office.

Which was read the first time; and on motion of Mr. Cannon, the rule requiring joint resolutions to lie over one day, was suspended, and the resolution read a second time forthwith and adopted.

Messrs. Cannon Greer and Stone were appointed a committee on the part of the Senate under said resolution.

Mr. Sharkey asked and obtained leave to introduce the following resolution:

Resolved, That the Door-Keeper be instructed to furnish, during the session, to each member of the Senate, one copy of the Star of Temperance, a newspaper printed in the city of Jackson, at the subscription price of the same.

Which was read, and on motion of Mr. Sharkey, the same was adopted.

Mr. Bell moved a reconsideration of the vote on the bill entitled, an act to change the venue of the trial of certain slaves from the county of Sunflower to that of Carroll; which motion was decided in the affirmative, and on the further motion of Mr. Bell, said bill was referred to the Judiciary committee.

The following message was received from the House of Representatives through their clerk:

Mr. President—The House of Representatives have concurred in the resolution from the Senate appointing a joint select committee of three on the part of the Senate, and —— on the part of the House, to wait on the Governor elect, and know of him when it will be his pleasure to be installed into office, and have filled the blank with the number five, and have appointed on the part of the House, Messrs. Talbot, Foote, Calhoun, Hinds and Ellis.

On motion of Mr. Alcorn, the Senate adjourned till to-morrow morning at 10 o'clock.

THURSDAY, January 10, 1850.

The Senate met pursuant to adjournment. The journal of yesterday was read.

On motion of Mr. Cannon, the reading of so much of the journal as relates to the counting of the votes for Governor, was dispensed with.

Mr. Bell presented the petition of Joshua Nelson; which was read, and on his motion, referred to the committee on proporitions and grievances.

Mr. Guion presented the petition of J. B. Lipencott; which, on his motion, was referred to the committee on claims.

Mr. Brooke, from the committee on the judiciary, to which was referred a bill, to be entitled an act, to change the venue of the trial of certain slaves, from the county of Sunflower to that of Carroll, reported said bill back to the Senate without amendment, and recommended its passage.

On motion of Mr. Guion, the report was received and agreed to; and on the further motion of Mr. Guion, said bill was read the third time by the title, forthwith, and passed.

Mr. Bell called for the ayes and noes thereon, which are as follows:

AYES.—Mr. President, Messrs. Brooke, Berry, Beene, Drane, Davis, Golladay, Gilleland, Greer, Guion, Hughes, McDugald, McAfee, Pettus, Ramsay, Reynolds, Singleton, Stone, Stewart, Sharkey, Torrey, Tait, and White—25.

NOES.—Messrs. Alcorn, Bell, Cannon, Carter, and Talliaferro—5.

Ordered, that the title thereof be as stated.

Mr. Cannon, from the joint select committee, appointed to wait upon Gen. John A. Quitman, the Governor elect, made the following report, to-wit:

MR. PRESIDENT—The joint select committee, appointed to wait on the Governor elect, and know of him when he will be ready to be installed in office, beg leave to report that they had attended to the duty assigned them, and were authorized by him to say, that he desired as much as possible to encourage system and uniformity in every department, and therefore would name the usual time, which is understood to be at 11 o'clock on this day, (the 10th).

Mr. Pettus asked and obtained leave to introduce the following joint resolution, to-wit:

Resolved, with the concurrence of the House of Representatives, that a joint committee of three on the part of the Senate, and — on the part of the House of Representatives, be appointed, whose duty it shall be to investigate the books, papers, minutes, accounts and correspondence of the board of commissioners, appointed under an act entitled, an act to extend the railroad eastwardly beyond Jackson, approved February 24th, 1848; and that said committee shall have power to send for persons and papers, that may, in their opinion, be necessary to a full investigation of the affairs and condition of said road;

Which was read the first time, and, on motion of Mr. Stone, the rule was suspended, and the resolution read a second time, and forthwith adopted.

Messrs. Pettus, Guion, and Sharkey were appointed said committee, on the part of the Senate.

Mr. Davis asked and obtained leave, to introduce the following resolution, to-wit:

Resolved, the House concurring, that the State Printer be authorized to pre-pay the postage on public documents sent off during the present session of the Legislature, and to render an account of the same, with a receipt of the postmaster in their bill for printing;

Which was read the first time, and, on motion of Mr. Davis, the rule was suspended, and the same read a second time, and forthwith adopted.

Mr. Alcorn asked, and obtained leave, to introduce the following resolution, viz:

Resolved, the House concurring, that the committees of the two Houses on internal improvements, be constituted a joint standing committee, during the present session of the Legislature;

Which was read, and, on motion of Mr. Alcorn, the rule was suspended and the resolution read a second, time and forthwith adopted.

Mr. Singleton asked, and obtained leave, to introduce the following resolution, viz:

Resolved, That the several ministers of the gospel, who reside in this city, and who may visit it during the session of the Legislature, be invited to attend from time to time, and open the morning sessions of the Senate with prayer;

Which was read, and on motion of Mr. Singleton, was adopted.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, that is to say:

Mr. President—I am instructed by the House of Representatives to inform the Senate that the Speaker has announced the appointment of the following joint standing and standing committees:

Joint standing committee on Claims—Messrs. G. F. Neill, B. R. Webb, H. S. Rawls, A. K. Smedes, R. B. Kirkland.

Joint standing committee on accounts—Messrs. J. C. Hinds, J. J. Hughes, J. Barden, E. G. Marble, Wm. Regan.

Joint standing committee on Enrolled Bills—W. T. S. Barry, F. M. Aldridge, W. H. Baker, C. H. Mott, and J. V. Welsh.

Joint standing committee on the Penitentiary—T. J. Catchings, T. J. Malone, J. M. Trussell, W. W. Martin, M. M. Brooks.

Joint standing committee on Federal and State Relations—R. Barton, C. F. Hemingway, P. B. Starke, W. K. Harrison, C. R. Crusoe.

Standing committee on Elections—R. White, S. W. Echols, R. Seal, D. Bynum, T. R. Thurmond, B. F. Nelson, J. L. Calhoun.

Standing committee on Ways and Means—C. L. Thomas, S. Noble, E. C. Stewart, F. C. Talbert, R. H. Buford, S. Ford, G. H. Young.

Standing committee on Revisals and Unfinished Business—M. Suratt, A. H. Metcalf, Wm. Thomas, P. J. Myers, W. Magee, S. D. Johnson, A. E. Lewis.

Standing committee on Propositions and Grievances—G. Huie, H. J. Thomas, J. D. Crews, J. West, J. W. Chrisholm, J. McGinnis, W. B. Smith.

Standing committee on the Judiciary—S. Adams, J. P. Anderson, A. K. Blythe, J. M. Clement, H. Cassidy, G. H. Foote, L. M. Day.

Standing committee on Internal Improvements—J. Brown, G. Baker, R. K. Arthur, F. J. Lynch, Wm. Weathersby, B. Collins, R. H. Byrn.

Standing committee on County Boundaries—S. Durham, J. B. Ashe, J. F. Griffin, W. Beene, H. McNabb.

Standing committee on Military Affairs—A. K. Blythe, Wm. Estell, J. P. Anderson, S. A. Matthews. J. Regan.

Standing committee on Education—P. Henry, J. D. Stewart, L. B. Ellis, B. D. Nabors, J. Wall.

The House has passed the following joint resolutions, to-wit:

Resolved, the Senate concurring, that a committee on public buildings be appointed, consisting of five on the part of the House, and — on the part of the Senate, to examine the Governor's Mansion, and other State buildings, and report the amount of appropriations necessary (if any) to repair and furnish the same.

The Speaker appointed, as said committee, on the part of the House, Messrs. Stewart, of Marion, Marble, Kelley, Vaiden, and White.

Resolved, with the concurrence of the Senate, that a joint select committee of five, on the part of the House, and — on the part of the Senate, be appointed, whose duty it shall be to investigate the books, papers, minutes, accounts, and correspondence of the board of commissioners, appointed under the act, entitled, an act to extend the railroad eastwardly beyond Jackson, approved Feb. 24th, 1848; and that said committee shall have power to send for persons and papers, that may in their opinion be necessary to a full investigation of the affairs and condition of said road; and have appointed, as said committee, on the part of the House, Messrs. Lynch, Noble, Arthur, Welsh, and Thomas, of Marshall.

Resolved, the Senate concurring, that a joint committee of five, on the part of the House, and — on the part of the Senate, be appointed to examine the report of the committee made under an act of the last session of the Legislature, requiring said committee to examine into the Executive, Auditor's, Treasurer's office, and the office of the Comissioner of the Sinking Fund, and to report what action should be taken on the report of said committee.

The Speaker appointed as said committee, on the part of the House, Messrs. Foote, Blythe, Gatlin, Hemingway, and Malone. In all of which I am instructed to desire the concurrence of the Senate.

Mr. Brooke asked, and obtained leave, to introduce a bill, to be entitled, an act to remove the civil disabilities of Telamechus S. Wyatt; which was read the first time, and, on motion of Mr. Brooke, the rule was suspended, and the bill read a second time forthwith, by the title.

And, on the further motion of Mr. Brooke, the rule was further suspended, the bill considered as engrossed, read a third time and passed.

Ordered, That the title thereof be as stated.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, viz:

Mr. President—The House of Representatives have adopted the following joint resolution, to-wit:

Resolved, That a joint select committee of five, on the part of the House, and — on the part of the Senate, be appointed to receive and wait on John A. Quitman, Governor elect, at the Secretary's office of the State of Mississippi, on this day at eleven o'clock, escort and introduce him into the Representative hall, before the conventional meeting of the two Houses of the Legislature of the State of Mississippi, for the purpose of his installation into office, as Governor of Mississippi, for and during the term of two years.

The Speaker has appointed as said committee, on the part of the House, Messrs. Talbert, Barry, Welsh, Thomas and Mathews. In which I am instructed to desire the concurrence of the Senate.

Mr. Greer, from the select committee, made the following report, to-wit:

Mr. President—The select committee to whom was referred the petition of Richard and James S. Philips, praying the passage of a law, to enable Thomas Archibald Reid, a minor, to exercise the rights of a man, with the exception of the right of suffrage, beg leave to report, that, as a general rule, they deem it impolitic to pass laws to make men of minors; but as the Legislature has sometimes departed from this rule, in extreme cases, and deeming the case set forth in this petition, above referred to, to be such an exception, report the accompanying bill for the relief of Thomas Archibald Reid, and recommend its passage.

On motion of Mr. Greer, the report was received and agreed to, and the bill therein reported, entitled, an act for the relief of Thomas Archibald Reid, was read the first time.

On motion of Mr. Greer, the rule was suspended, and the bill read a second time, forthwith by the title; and on further motion of Mr. Greer, the rule was further suspended, the bill considered as engrossed, read a third time and passed.

Ordered, That the title thereof be as stated.

On motion of Mr. Stone, the joint resolution of the House of Representatives, appointing a committee to receive and wait on John A. Quitman, Governor elect, was taken up and concurred in.

Messrs. Stone, Brooke, and Bell, were appointed said committee, on the part of the Senate.

Mr. Hughes presented the petition of Daniel Dupree and others, of Noxubee county, accompanied by a bill, to be entitled, an act for the benefit of Elijah Dupree, jr., which was read the first time.

On motion of Mr. Hughes, the constitutional rule was suspended, and the bill read a second time by title.

And, on further motion of Mr. Hughes, the rule was further suspended, the bill considered as engrossed, read a third time and passed.

Ordered, That the title thereof be as stated.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to-wit:

MR. PRESIDENT—The House of Representatives have passed a bill, of the following title, to-wit:

A bill to be entitled an act to change the time of holding the probate court of Pike county, and for other purposes; in which I am instructed to desire the concurrence of the Senate.

Mr. Davis asked, and obtained leave, to introduce a bill, to be entitled, an act to authorize the judges of the circuit courts of the State of Mississippi, to grant writs of error and supersedeas in criminal cases; which was read, and, on motion of Mr. Davis, the constitutional rule was suspended, and the bill read a second time forthwith by title.

And on the further motion of Mr. Davis, was referred to the judiciary committee.

On motion of Cannon, the Senate took a recess of ten minutes.

Recess having expired, the President called the Senate to order.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to-wit:

MR. PRESIDENT—I am instructed by the House of Representatives to inform the Senate, that their hall is now in readiness for the reception of the Senate, for the inauguration.

And forthwith the Senate proceeded to the hall of the House of Representatives, preceded by the Sergeant-at-arms, and took the seats assigned them.

The President having explained the object for which the two Houses had come together, the Governor elect, together with ex-Governor Mathews, Chief Justice Sharkey, and Associate Judges, Messrs. Clayton and Smith, entered the Representative Hall and took the seats in front of the Speaker's chair.

His Excellency John A. Quitman, then arose and delivered the following inaugural address, in presence of the two Houses, and assemblage of citizens:

To the Honorable the Senate and House of Representatives of the State of Mississippi:

The Constitution of the State, to secure individual fidelity in the execution of public trusts, prescribes that every officer, before entering upon his duties, shall take an oath faithfully to discharge the duties of his office. Elected by the people of this State to be their Chief Executive Magistrate, I now come before you, Senators, Representatives and fellow citizens, publicly, in the presence of the guardians of the commonwealth, to take upon myself the solemn obligation which the constitution enjoins upon me.

I shall enter upon the discharge of my official duties with a firm determination to assume no powers refused, and to shun no responsibilities required by the constitution and laws, and to spare no effort, by a faithful performance of my duty, to deserve the high confidence which the generous people of this State have reposed in me.

Among a free people, addresses from a public servant to his constituents, should be frank and without disguise. When his opinions may affect the public welfare, they should not be concealed. I feel it my duty, therefore, in this first official address to the sovereign people of Mississippi, briefly to express my opinions upon some of the prominent questions which now appear to occupy the public mind. They will furnish the best indication of the course of policy I shall study to pursue, in my official action upon all subjects.

In our union of sovereign States, there are few questions, however they may appear strictly Federal, which do not sometimes demand the consideration of the respective States of the confederacy.

The members of our national union consist of equal co-ordinate sovereignties, whose interest for good or for evil, may be affected by the Federal government. They are not only entitled to exercise a watchful care over its proceedings, but when the constitution, or the reserved rights of the States, or the people are threatened, upon the State governments especially, devolves the duty of taking proper measures to defend the one, and protect the other. National questions are, therefore, necessarily a part of State politics.

My views of the original structure of our government, and my interpretation of the constitution, are strictly democratic. Regarding the Federal constitution as a compact between independent political communities, acting in their character as sovereigns, it follows, that the government erected by it, is one of delegated powers. Over all political powers not delegated, the States retained an absolute and exclusive control, with all the rights and powers necessary to maintain and preserve their sovereignty. Over these they are as supreme, as if the constitution had never been adopted. Various causes, among them, national glory—because it feeds our self-esteem—are continually operating to incline the public mind towards centralism and consolidation. This is the tendency of our government; and, as our country grows in wealth, power and importance, the contrast between the State and Federal governments will become wider, and increase the danger. A frequent recurrence to the history and character of our federal system is, therefore, essential to the preservation of the State governments. In my opinion, a little jealousy on the part of State officers is commendable. The assumption of power by the Federal government, has already more than once produced convulsions which have shaken the strong pillars of our political temple; the failure to exercise a doubtful power, has never caused alarm. The danger is from assumption, not inactivity. Construing the Federal government as one of limited delegated powers, I deny its right to supervise the manufactures or the agriculture of the country, or to take under its charge and control, the highways and the harbors of our broad land.

If such power be not delegated, it is a fraud upon the constitution, to attempt these objects indirectly under color of the power granted "to lay and collect duties and imposts," "to establish post-offices and post roads," or "to regulate commerce."

I am opposed to the establishment of a United States Bank, or to the conversion of the National treasury, by ingenious modifications, into any other similar fiscal agent. The plan of collecting and disbursing the revenue by the simple machinery of the Independent Treasury, seems to me best suited to the simplicity of our republican institutions, and best calculated to preserve honesty and purity in the administration of the public finances. I have thought fit to allude to these questions, because they are again agitated.

Connected with our Federal relations, is another subject of deep and vital interest to us, in common with a large portion of our sister States of the Union, a question which in the last few years, has assumed a momentous and startling aspect.

One half of the sovereign States of this glorious confederacy, in the exercise of the undoubted right of self-government, have chosen to retain as a part of their elementary social system, the institution of the domestic slavery of an inferior race. This institution is entwined in our political system, and cannot be separated from it, without destruction to our social fabric. It has existed here since the cavaliers of Jamestown and the puritans of Plymouth Rock, first built their pilgrim fires upon the shores of America. It was recognized in the formation of the Federal constitution, and to its existence among us, as much as to any other single cause, is attributable the rapid advance of our country in its career of prosperity, greatness and wealth.

That Supreme being, whose all-seeing eye looks down upon the nations of the earth, has beheld and tolerated its existence among us for more than two centuries, and has poured out upon us the choicest blessings of his providence.

We do not regard it as an evil, on the contrary, we think that our prosperity, our happiness, our very political existence, is inseparably connected with it. We have a right to it above and under the constitution of the United States. We cannot give up that right. We *will* not yield it. We have a right to the quiet enjoyment of our slave property. We cannot and will no longer permit that right to be disturbed. It is of those essential rights which cannot be yielded up without dishonor, and self-degradation. None who believe that we have inherited the free spirit of our fathers, can doubt our determination at all hazards to maintain these positions so essential to our security.

The statesmen in the non-slaveholding States, who attempt to trample upon our rights, either mistake the intelligence and spirit of the Southern people, or knowingly hazard the integrity of the Union. They should know that the South is now aroused to the magnitude of the danger. We are no longer permitted to doubt

that a systematic and deliberate crusade against our sacred rights is now in progress, and has assumed a character which requires us to act.

Distinguished Northern statesmen have not only avowed their determination to exclude the slave interest from the protection of the constitution, but to use all the powers, which by a broad construction of that instrument, they can assume, to effect its ultimate extermination.

Some of the non-slaveholding States have, by resolutions of their Legislatures, re-echoed these pernicious doctrines, and many of them, in palpable violation of their constitutional compact, have enacted laws effectually to prevent the reclamation of fugitive slaves.

These insulting and offensive measures have not been confined to individuals or to the State governments. The halls of Congress, where Northern and Southern men should meet as brethren, have become the theatre of this war upon slavery. Already has the attempt been made, as is threatened to be renewed, I fear with prospects of ultimate success, to exclude the slaveholding States from an equal participation in the common territory of the States—to confine the slaveholder and the slave for all time to come to the States in which the institution now exists—to abolish negro slavery in the Federal District, and to suppress the internal slave trade between the States.

These measures not only threatened, but actually introduced in Congress, too plainly speak the deliberate intention of their instigators, to wage a war of extermination against our most valued rights. Whether they originate in fanaticism, affected philanthropy, or calculations of political power, they can have no other object than the ultimate destruction of our domestic institutions, or the dissolution of the Union. The advocates of these destructive measures seek to perpetrate wrongs to which the people of Mississippi, of all parties, recently assembled in convention, have solemnly declared that they cannot and will not submit. They cherish the Union, constituted by the wisdom of our fathers; they will defend the constitution, which established and alone maintains that Union, but they have no love or veneration for any other union than that which is written and defined in the constitution. They are not to be deceived and robbed of their constitutional rights by men, who, uttering hollow professions of attachment to the Union, are deliberately severing the ties that bind us together. Should this glorious Union perish, let the indignant patriot heap curses upon the traitors, who, by destroying the compromises of the constitution, sapped the foundations of

"The realm,
The last and the noblest of time."

I may have dwelt too long upon this subject, but I regard it as the great, the absorbing question of the day; one which must now be met deliberately, calmly, and boldly. The South has long sub-

mitted to grievous wrongs. Dishonor, degradation and ruin await her, if she submits further. The people of Mississippi have taken their stand, and, I doubt not, their representatives will maintain it, by providing means to meet every probable contingency. I here pledge myself firmly to execute their will, to the extent of my constitutional powers.

We live, fellow citizens, in a progressive age, marked by some of the boldest improvements in the sciences, and the most remarkable discoveries and inventions in the arts. It is the part of the political power of the State to apply these improvements to the increase of the wealth, and the promotion of the happiness of the people. If we cannot reach perfection, we may approach it. The struggle, at least, is worthy the highest exertion of the human intellect. The immense resources of our yet infant State, are not fully developed. A wide field for internal improvements is still open. A system of common school education, suited to the character and condition of our country, may be established. Our jurisprudence and judicial systems are open to great reforms. The abuses of petty corporations may be corrected. Our military establishment may be rendered more efficient. Some wise and efficient provision, based upon the consent of the people, gradually to extinguish the public debt, may be matured. The revenue system may be made more equal and just, and the burden of self-government be thus alleviated. All these objects are worthy the consideration of the best talents of a State, which has taken the lead among her sister States in great constitutional reforms.

With sentiments of the deepest gratitude to my fellow citizens for the confidence reposed in me; with sincere distrust in my abilities, yet with a proud consciousness of the elevated station to which I have been chosen, as the chief magistrate of a State, distinguished for the talents of her statesmen, in council, and the intrepid gallantry of her sons in war, I am now ready, in this presence, and before Almighty God, to take my solemn oath of office.

Chief Justice Sharkey then administered the oath of office to the Governor elect, and then withdrew.

The Sergeant-at-arms then announced that his Exeellency John A. Quitman, was duly installed Governor and Commander-in-chief of the army and navy of the State of Mississippi.

The President of the Senate announced that the object of the joint meeting being accomplished, the Senate withdrew to their Chamber.

Mr. Sharkey moved that 1000 copies of the inaugural address of the Governor be printed, for the use of the Senate.

Mr. Pettus moved to amend the motion, by inserting 2000 instead of 1000 copies; which was accepted.

The question was then taken on the motion, as amended, which was adopted.

On motion of Mr. Cannon, the Senate adjourned until to-morrow morning, 10 o'clock.

FRIDAY, JANUARY 11, 1850.

The Senate met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Russell.

The journal of yesterday was read.

On motion of Mr. Drane, the reading of the inaugural address of the Governor, as copied into the journal, was dispensed with.

James Y. Thompson, Senator elect from the senatorial district composed of the county of Monroe, appeared, took the oath prescribed in the constitution, and took his seat.

Mr. Alcorn presented the petition of James M. Bobo; which, on his motion, was referred to the Committee on Propositions and Grievances.

Mr. Bell presented the petition of Samuel J. High; which, on his motion, was referred to the Committee on Propositions and Grievances.

Mr. Singleton presented the petition of William P. Gili; which, on his motion, was referred to the Committee on Propositions and Grievances.

Mr. Kennedy asked and obtained leave to introduce the following resolution, viz:

Resolved, That the Governor's message be called from the table, and that it be committed to a committee of the whole House, and made the special order of the day for to-morrow, at 12 o'clock, A. M.; which was read, and, on motion of Mr. Kennedy, adopted.

Mr. Brooke asked and obtained leave to introduce the following resolution, viz:

Resolved, That a joint select committee, to consist of five on the part of the Senate, and ——— on the part of the House, be appointed, to which shall be referred the subject of the five hundred thousand acres of land donated to this State for the purpose of internal improvement, and all subjects connected therewith; which was read, and, on motion of Mr. Brooke, the rule was suspended and the resolution read a second time forthwith; and the vote being taken thereon, the same was lost.

Mr. Berry offered the following resolution, viz:

Resolved, That fifty copies of the rules adopted by the Senate, and one hundred copies of the names of the Senators, be printed for the use of the Senate; which was read, and, on motion of Mr. Berry, was adopted.

The Senate then proceeded to the consideration of the order of the day.

A bill to be entitled an act to change the time of holding the probate court of Pike county, was read the first time.

On motion of Mr. Davis, the rule was suspended, and said bill read a second time by title.

On the further motion of Mr. Davis, the rule was further suspended, the bill read a third time and passed. *Ordered*, that the title thereof be as stated.

Mr. Singleton asked and obtained leave to introduce a bill to be entitled an act for the relief of the heirs and representatives of John T. Johnston, deceased; which said bill was accompanied by a memorial of Samuel G. Johnston and others, citizens of Madison county—which was read.

Mr. Singleton moved a suspension of the rule, in order that the bill might be read a second time; which was objected to. The objection being afterwards withdrawn, the rule was suspended, and the bill read a second time by title; and, on the further motion of Mr. Singleton, said bill and memorial were referred to the Judiciary Committee.

Mr. Drane asked and obtained leave to introduce a bill to be entitled an act for the relief of Ira G. Kellough; which was read the first time.

On motion of Mr. Drane the rule was suspended, and the bill read a second time by title.

On the further motion of Mr. Drane, the rule was further suspended, the bill considered as engrossed, read a third time and passed. *Ordered*, that the title thereof be as stated.

Mr. Berry asked and obtained leave to introduce the following resolution, viz:

Resolved, That a committee of five, on the part of the Senate, be appointed, to be called a Committee on Federal and State Relations, and be considered a joint standing committee.

Which was read the first time, and, on motion of Mr. Cannon, the rule was suspended, and the resolution read a second time and adopted.

Messrs. Guion, Cannon, Pettus, Kennedy and Brooke were appointed the committee, under said resolution, on the part of the Senate.

Mr. Berry asked to be excused from serving on said committee.

On motion of Mr. Bell, the message first received from the House of Representatives was taken up.

The resolution appointing a Committee on Public Buildings, to examine the Governor's mansion and other State buildings, was read the first time.

Mr. Guion offered the following amendment, to wit:

Amend by striking out of the first line the words "on public buildings," and from the third and fourth lines the words, "and other State buildings;" which was adopted, and, on motion of Mr. Guion, said resolution, as amended, was concurred in.

Messrs. Drane, Ramsay and Singleton were appointed the committee, on the part of the Senate, under said resolution.

The resolution appointing a joint select committee to investigate the books, papers, minutes, accounts and correspondence of the board of commissioners appointed under the act entitled "An act to extend the railroad eastward, beyond Jarkson," was read, and, on motion of Mr. Pettus, was concurred in.

Messrs. Pettus, Guion and Sharkey were appointed a committee, on the part of the Senate, under said resolution.

The resolution appointing a joint committee of five, on the part of the House, and —— on the part of the Senate, to examine the report of a committee, made under an act of the last session of the legislature, requiring said committee to examine into the Executive, the Auditor's and Treasurer's offices, and the office of the Commissioner of the Sinking Fund, and to report what action should be taken on the report of said committee, was read, and, on motion of Mr. Guion, was concurred in.

Messrs. Kennedy, Thompson and Davis were appointed the committee, on the part of the Senate, under the said resolution.

On motion of Mr. Guion, the report of the committee, appointed at the last session of the legislature, to examine into the Executive, the Auditor's and Treasurer's office, and the office of the Commissioner of the Sinking Fund, was called up from the table, and referred to the joint select committee raised to examine said report.

On motion of Mr. Berry, leave of absence was granted to Mr. Catchings, Senator from the counties of Simpson and Copiah, for five days.

Mr. Brooke asked and obtained leave to introduce the following resolution, viz:

Resolved, (the House concurring,) That the two Houses meet in the Hall of Representatives, at 12 o'clock, for the purpose of electing a State Printer.

Which was read the first time.

Mr. Brooke moved that the rule be suspended, and the resolution read a second time and put upon its passage; which was lost.

Mr. Brooke asked and obtained leave to introduce a bill to be entitled an act to incorporate the Holmes County Manufacturing Company; which was read the first time.

On motion of Mr. Brooke, the rule was suspended and said bill read a second time by title; and, on the further motion of Mr. Brooke, said bill was referred to a select committee of three.

Messrs. Brooke, Hodges and Sharkey were appointed said committee.

Mr. Cannon asked and obtained leave to introduce a bill to be entitled an act to authorize the President of the Board of Police of the county of Chickasaw to require William L. Baskins, tax collector of said county, to execute a valid official bond; which was read the first time.

On motion of Mr. Cannon, the rule was suspended, and the bill

read a second time by title; and, on the further motion of Mr. Cannon, the rule was further suspended, the bill considered as engrossed, read a third time and passed. *Ordered*, that the title thereof be as stated.

Mr. Brooke asked and obtained leave to introduce a bill to be entitled an act to amend the law of evidence; which was read the first time.

On motion of Mr. Brooke, the rule was suspended and the bill read a second time by title, and referred to the Committee on the Judiciary.

Mr. Singleton asked and obtained leave to introduce a bill to be entitled an act to annul the several acts of this State in relation to the protection and preservation of the rights of married women; which was read the first time.

On motion of Mr. Singleton, the rule was suspended and the bill read a second time by title, and referred to the Judiciary Committee.

On motion of Mr. Carter, the Senate adjourned until 10 o'clock to-morrow morning.

SATURDAY, JANUARY 12, 1850.

The Senate met pursuant to adjournment; and was opened with prayer by the Rev. Mr. Morris.

The journal of yesterday was read.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to-wit:

MR. PRESIDENT—The House of Representatives have given leave to the introduction of bills of the following titles:

A bill to be entitled, an act to incorporate the town of Biloxi, in the county of Harrison.

A bill to be entitled, an act to incorporate the town of Shongalo, in the county of Carroll.

A bill to be entitled, an act providing an appropriation to the Washington National Monument.

A bill to be entitled, an act for the relief of Lewis G. Jones, a minor.

A bill to be entitled, an act to reduce the clerks of the two Houses of the Legislature.

A bill to be entitled, an act to exempt the county of Franklin from the operations of that portion of an act, entitled, "an act to reduce the expenses of the government of the State of Mississippi," approved Feb. 14, 1842, which provides that talis jurors shall not receive any compensation.

A bill to be entitled, an act to incorporate the board of visiters of Wayland classical hall, in the town of Yazoo City, in Yazoo county.

The House of Representatives have concurred in the amendment made by the Senate, to the resolution of the House, raising a joint committee to examine the Governor's mansion, &c., and report the amount of the appropriation necessary, if any, to repair and furnish the same.

Mr. Cannon presented the petition of Charles E. Rushing and others, citizens of Lauderdale county; which was read, and, on motion of Mr. Carter, was referred to the committee on Internal Improvements.

Mr. Golladay presented the petition of Wm. P. Bryant, accompanied by sundry documents; which, on his motion, were referred to the committee on Claims.

Mr. Stone asked, and obtained leave, to introduce a bill, to be entitled, an act to incorporate the New Orleans and Jackson railroad company, and for other purposes; which was read the first time.

On motion of Mr. Stone, the rule was suspended, and the bill read a second time by title.

On the further motion of Mr. Stone, said bill was laid on the table, and made the special order of the day for Tuesday next at eleven o'clock, A. M., and 200 copies of the same ordered to be printed.

Mr. Sharkey, from a select committee, made the following report, to-wit:

Mr. President—The seleet committee to whom was referred a bill, to be entitled, an act to incorporate the "Holmes county manufacturing company," have had the same under consideration, and beg leave to report the same back to the Senate without amendment, and recommend its passage.

On motion of Mr. Sharkey, the report was received and agreed to.

Mr. Ramsay, from a joint select committee, made the following report, to-wit:

Mr. President—The joint select committee who were appointed to examine the Executive mansion, have performed that duty, and have instructed me to report the following bill, and recommend its passage.

On motion of Mr. Ramsay, the report was received and agreed to, and the bill therein reported, to be entitled, an act to make an appropriation for repairing and furnishing the Executive mansion and for other purposes, was read the first time; and, on motion of Mr. Ramsay, the rule was suspended, and the bill read a second time by title.

Mr. Ramsay moved a further suspension of the rule, so that the bill might be considered as engrossed, read a third time and passed; which was refused.

On motion of Mr. Bell, the Senate resolved itself into a committee of the whole on said bill; Mr. Alcorn in the chair.

After some time spent therein, the committee rose, and Mr. Alcorn reported said bill back to the Senate without amendment, and recommended its passage.

On motion of Mr. Alcorn, the report was received and agreed to. Mr. Alcorn moved that the rule be suspended, the bill considered as engrossed, read a third time, and put upon its passage; which was refused.

On motion of Mr. Bell, said bill was ordered to be engrossed for a third reading, on Monday next.

On motion of Mr. Sharkey, leave of absence was granted to Mr. Guion, for a short time.

Mr. Sharkey asked and obtained leave to present a memorial of the following title, to-wit:

A memorial to Congress, to grant lands and to make mail contracts, and contracts for military transportation, in aid of the railroad communication between the city of Washington and the Mississippi river at Vicksburg; which was read the first time, and, on motion of Mr. Sharkey, the rule was suspended, and the memorial read a second time by title.

Mr. Sharkey moved that the rule be further suspended, the memorial considered as engrossed, read a third time and passed; which was refused.

Mr. Singleton, from the committee on the Judiciary, made the following report, to-wit:

Mr. President—The standing committee on the Judiciary, to whom was referred the bill for the relief of the heirs and representatives of John T. Johnston, deceased, have had the same under consideration, and have instructed me to report the same back to the Senate without amendment, and recommend its passage.

On motion of Mr. Singleton, the report was received and agreed to; and the bill therein reported, to be entitled, an act for the relief of the heirs and representatives of John T. Johnston, deceased; was read the second time.

Mr. Singleton moved, that the rule be suspended, the bill considered as engrossed, read a third time and passed; which was refused.

On motion of Mr. Cannon, leave of absence was granted to Mr. Drane for a short time.

Mr. Carter asked, and obtained leave, to introduce a bill to be entitled, an act to compel all persons liable to do road duty, to open new roads; which was read the first time.

On motion of Mr. Carter, the rule was suspended, and the bill read a second time by title.

Mr. Carter moved that the rule be further suspended, the bill considered as engrossed, read a third time and passed, which was refused.

On motion of Mr. Bell, said bill was committed to a committee of the whole House, and made a special order of the day for Monday next.

The Senate then proceeded to the consideration of the orders of the day.

A resolution in relation to the election of Public Printer, was read a second time.

Mr. Brooke moved to amend said resolution, by inserting the words "to-day," in the second line.

Mr. Hughes moved to amend said resolution, by inserting "Tuesday."

Mr. Hodges moved to amend said resolution, by inserting "Monday."

The question was first taken on the motion of Mr. Hughes; which was lost.

The question was next taken on the motion of Mr. Hodges; which was lost.

The question was then taken upon the motion of Mr. Brooke; which was adopted.

On motion of Mr. Brooke, the resolution as amended, was adopted.

Mr. Berry, from the joint standing committee on Enrolled Bills, made the following report, to-wit:

MR. PRESIDENT—The joint standing committee on Enrolled Bills, have this day examined the following bills, to-wit:

An act to change the time of holding the probate court of Pike county, and for other purposes.

An act in relation to the drawing of jurors, in the county of Claiborne.

A resolution in relation to the assessment rolls of Harrison county; and have found the samecorrectly enrolled

The President signed the bills therein reported.

On motion of Mr. Brooke, the consideration of the special order of the day, in relation to the Governor's message, was dispensed with.

On motion of Mr. Brooke, the bill to be entitled, an act to incorporate the Holmes county manufacturing company, was taken up, and, on his motion, the rule was suspended, the bill considered as engrossed, read a third time by title, and passed.

Ordered, That the title be as stated.

On motion of Mr. Sharkey, the Senate took a recess of fifteen minutes.

The recess having expired, the President called the Senate to order.

The following message was received from the House of Representatives, through their clerk, Mr. Russell:

MR. PRESIDENT—The House of Representatives have adopted the following resolution, to-wit:

Resolved, That so much of the Governor's message, as relates to the lunatic asylum, be referred to a joint select committee of five on the part of the House, and — on the part of the Senate; and have appointed as said committee on the part of the House, Messrs. Catchings, Thomas of Yazoo, Armstrong, Vaiden, and Rogers; in which I am instructed to desire the concurrence of the Senate.

The House of Representatives have passed a Senate bill, of the following title:

A bill to be entitled, an act to authorize the president of the board of police of the county of Chickasaw, to require William L. Baskin, tax collector of said county, to execute a valid official bond.

The House of Representatives have concurred in the Senate's resolution, appointing this day at 12 o'clock, for the two Houses to proceed to the election of State Printer.

The House of Representatives have passed a bill of the following title, to-wit:

A bill to be entitled, an act to incorporate the Wilkinson county manufacturing company; in which I am instructed to desire the concurrence of the Senate.

The House of Representatives have concurred in the Senate's resolution, constituting the committee on Internal Improvements a joint standing committee.

Also, in the Senate's resolution, authorizing the State Printer to pre-pay the postage on public documents, sent off through the post-office, at Jackson, during the present session of the Legislature; and to render an account of the same, with a receipt of the post-master in their bill for printing.

I am instructed by the House of Representatives to inform the Senate, that their Hall is now in readiness for the reception of the Senate, to the end that the two Houses proceed to the election of a Public Printer.

The Speaker of the House of Representatives has signed bills originating in the Senate, of the following titles:

An act to change the time of holding the probate court of Pike county, and for other purposes.

A resolution in relation to the assessment roll for Harrison county, for 1841.

And has also signed a bill, originating in the House, of the following title:

An act relative to the drawing of jurors in the county of Claiborne; which I am instructed to present to the Senate, for the signature of the President.

And thereupon the Senate repaired to the Hall of the House of Representatives, and took the seats assigned them.

The President of the Senate having announced the object for

which the two Houses had come together, to be the election of State Printer.

Mr. Bell of the Senate, moved to conduct said election *viva voce*, which was adopted.

Mr. Hemmingway, of the House, nominated Messrs. Jones and Barksdale.

Mr. Stone, of the Senate, nominated Messrs. Fall and Marshall.

Mr. Stewart, of the House, nominated Mr. M. Shannon.

The name of Mr. Shannon being withdrawn, Mr. Alcorn, of the Senate, nominated Mr. J. Smith & Co.

The Secretary of the Senate and Clerk of the House of Representatives, proceeded to call their respective rolls.

And, upon the first ballot, the vote stood as follows, to-wit:

Messrs. Fall and Marshall received - -	66 votes.
Messrs. Jones and Barksdale received -	53 votes.
Messrs. John Smith & Co. - - -	1 vote.

Those who voted for Messrs. Fall and Marshall are, Senators, Mr. President, Messrs. Bell, Berry, Beene, Cannon, Carter, Davis, Golladay, Gilleland, Greer, Hughes, McDugald, McAfee, Ramsay, Stone, Torrey, Thompson and Tait.

Representatives; Mr. Speaker, Messrs. Anderson, Adams, Baker of Hinds, Beene, Bynum, Brown, Buford, Brooks, Barden, Byrn, Bell, Cassidy, Catchings, Crews, Collins, Calhoun, Dunlap, Durham, Ellis, Estell, Echols, Gatlin, Gay, Huie, Kimball, Kirkland, Lewis, Lynch, Martin, Magee, Malone, Mathews, Metcalf, Nelson, Noble, Nabors, Rogers, Rawls, Suratt, Stark, Stewart of Marion, Trussell, Thames, Tyson, Wall, White, and Weathersby—66.

Those who voted for Messrs. Jones and Barksdale, are, Senators, Messrs. Brooke, Hodges, Kennedy, Pettus, Reynolds, Singleton, Stewart, Sharkey, Talliaferro, and White.

Representatives, Messrs. Armstrong, Arthur, Aldridge, Ash, Baker of Pontotoc, Blythe, Barton, Barry, Clement, Crusoe, Chisholm, Farrar, Foote, Griffin, Hemmingway, Harrison, Hughes, Henry, Johnson, Jenkins, Kelley, McInnis, Mott, Myers, McNabb, Marble, Neill, Nash, Regan of Claiborne, Regan of Yazoo, Seal, Smedes, Stewart of Wilkinson, Talbert, Thurmond, Thomas of Marshall, Thomas of Yazoo, Vaiden, Wilcox, Welsh, West, Webb, and Young—53.

Mr. Alcorn, of the Senate, voted for Messrs. John Smith & Co.

The President announced, that inasmuch as Messrs. Fall and Marshall had received a majority of all the votes cast, they were duly and constitutionally elected State Printers, for and during the time prescribed by law.

The joint meeting having accomplished the object of their meeting, the Senate withdrew to their chamber.

On motion of Mr. Singleton, the Senate adjourned till Monday morning, at 10 o'clock.

MONDAY, JANUARY 14, 1850.

The Senate met pursuant to adjournment, and was opened with prayer by Mr. Johnson.

The journal of Saturday was read.

Mr. Beene, from the standing committee on Engrossed bills, made the following report, to-wit:

MR. PRESIDENT—The committee on Engrossed bills have examined a bill to be entitled, an act to make an appropriation for repairing and furnishing the Executive mansion, and for other purposes, and have found the same correctly engrossed.

Mr. Berry, from the joint standing committee on Enrolled bills, made the following report, viz:

MR. PRESIDENT—The joint standing committee on Enrolled bills have this day examined a bill of the following title, to-wit: An act to authorise the Board of Police of the county of Chickasaw to require William L. Baskin, tax collecior of said county, to execute a valid official bond; and have found the same correctly enrolled.

Mr. Brooke presented the memorial of Thomas E. Helm and other citizens of Holmes county; which was read, and on motion of Mr. Brooke, referred to the committee on Propositions and Grievances.

Mr. Brooke presented the memorial of J. C. McCarty and divers other citizens of Carroll county, which was read.

Mr. Brooke moved to refer said memorial to the committee on County Boundaries.

Mr. Kennedy moved that the same be referred to a select committee of five; which was adopted.

Messrs. Brooke, Kennedy, Drane, Golladay and White, were appointed said committee.

The President announced that he had received the following communication from the Secretary of State:

OFFICE OF SECRETARY OF STATE,
City of Jackson, Jan'y 14, 1850.

Sir—The Board of Managers of the National Monument Society have presented to the State of Mississippi, through the Hon. Jefferson Davis, a piece of the corner stone of the Washington National Monument, the receipt of which has been acknowledged and transmitted to the House of Representatives.

Very respectfully, your ob't serv't.,

SAMUEL STAMPS,
Secretary of State.

Hon. D. Lipscombe, President of the Senate:

Which was read and laid on the table.

Mr. Ramsay moved a reconsideration of the vote on the passage of the bill entitled, an act to incorporate the Holmes county manufacturing company; which prevailed.

Mr. Drane called for the ayes and nays thereon, which are as follows, to-wit:

Ayes—Mr. President, Messrs. Bell, Berry, Beene, Cannon, Carter, Drane, Davis, Golladay, Gilleland, Greer, Guion, Hughes, Kennedy, McDugald, Ramsay, Reynolds, Stewart, Torrey, Talliaferro, Thompson and White—22.

Nays—Messrs. Alcorn, Brooke, Hodges, McAfee, Pettus, Stone and Tate—7.

Mr. Guion called for the reading of the fifth section of said bill, which was accordingly read.

On motion of Mr. Thompson, the Senate resolved itself into a committee of the whole on said bill, Mr. Thompson in the chair; and after some time spent therein, the committee rose, and Mr. Thompson reported said bill back to the Senate with the following amendment, and recommended its passage, to-wit: Amend section the fifth, by striking out the latter part of said section, which is in the following words, to wit: "And shall be exempted from taxation for the space of five years from the passage of this act."

On motion of Mr. Bell, the report was received and agreed to; and on the further motion of Mr. Bell, the bill as amended was ordered to be engrossed for a third reading on to-morrow.

The following message was received from the House through their clerk, Mr. Russell, to wit:

Mr. President—The House of Representatives have given leave to the introduction of bills of the following titles:

A bill to be entitled, an act to annex to Yazoo county a portion of the county of Issaquena.

The House of Representatives have adopted the following joint resolution:

Resolved, (the Senate concurring) That so much of the Governor's message as refers to the Chickasaw school lands, be referred to a joint select committee, consisting of one member from each of the Chickasaw counties, on the part of the House, and —— on the part of the Senate; and have appointed as said committee on the part of the House, Messrs. Barry of Oktibbeha, Harrison of Chickasaw, Adams of Monroe, Rodgers of Itawamba, Surat of Tishemingo, Gatlin of Tippah, Buford of Lafayette, Mott of Marshall, Rozell of Desoto, Byrn of Tunica, Ashe of Yalobusha, Calhoun of Tallahatchie, and Webb of Pontotoc; in which I am instructed to desire the concurrence of the Senate.

The Speaker of the House of Representatives has signed a bill originating in the Senate, of the following title: An act to authorise the President of the Board of Police of the county

of Chickasaw to require Wm. L. Baskin, tax collector of said county, to execute a valid official bond; which I am instructed to present to the Senate for the signature of the President.

Mr. Brooke offered the following resolution, to wit:

Resolved, (with the concurrence of the House of Representatives,) That 5000 copies of the proceedings of the State convention, held in the city of Jackson on the first Monday in October last, 2000 for the use of the Senate, and 3000 for the use of the House, be ordered to be printed in pamphlet form;

Which was read the first time.

Mr. Gilleland moved, that the rule be suspended and the resolution read a second time and put upon its passage.

Mr. Guion offered the following amendment, to-wit: Amend by inserting after the word "last," in the fourth line, the words "and of the State Central Meeting held in May last.

Mr. Berry moved to amend said amendment, by substituting a thousand copies for the Senate, and two thousand copies for the House of Representatives; which was lost.

The vote was then taken on the amendment of Mr. Guion; which was adopted.

On motion of Mr. Guion, the resolution, as amended, was adopted.

Mr. Thompson asked and obtained leave to introduce a bill, to be entitled an act to repeal the first section of an act entitled an act to amend the road laws of the county of Monroe, approved the 23d of February, 1848; which was read the first time, and on motion of Mr. Thompson, the rule was suspended, and the bill read a second time by title.

On the further motion of Mr. Thompson, said bill was ordered to be engrossed for a third reading on to-morrow.

Mr. Cannon asked and obtained leave to introduce a bill to be entitled an act to incorporate the Columbus Mutual Insurance Company; which was read the first time.

On motion of Mr. Cannon, the rule was suspended, and the bill read a second time by title; and on the further motion of Mr. Cannon, said bill was referred to the Judiciary committee.

The President announced that he had signed the following bill, together with others which were enumerated in the journal of Saturday: An act to authorise the President of the Board of Police of the county of Chickasaw to require Wm. L. Baskin, tax collector of said county, to execute a valid official bond.

The Senate proceeded to the consideration of the orders of the day.

A bill to be entitled an act to incorporate the Wilkinson county Manufacturing Company, was read the first time.

On motion of Mr. Stewart, the rule was suspended, and the bill read a second time by title.

On the further motion of Mr. Stewart, the rule was further sus-

pended, the bill considered as engrossed, read a third time and passed.

Ordered, That the title thereof be as stated.

A memorial to Congress, to grant lands and to make mail contracts and contracts for military transportation in aid of the railroad communication between Washington city and the Mississippi river at Vicksburg, was read the third time.

Mr. Bell moved to commit said memorial to a committee of the whole house forthwith.

Mr. Stone moved to lay said memorial on the table, which motion was afterwards withdrawn.

The vote was then taken on the motion of Mr. Bell to commit said memorial to a committee of the whole, which was lost.

The vote was then taken on the passage of the memorial, and passed.

Ordered, That the title thereof stand as stated.

A bill to be entitled an act for the relief of the heirs and representatives of John T. Johnston, deceased, was read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to make an appropriation for repairing and furnishing the executive mansion, and for other purposes, was read the third time.

Mr. Pettus offered the following amendment, by way of engrossed ryder, to-wit:

Section 3. *Be it further enacted*, That said sum of three thousand five hundred dollars, or so much of the same as may in the opinion of the Governor be necessary, shall be expended in repairing the executive mansion and the enclosures surrounding the same, and in furnishing said mansion with cooking utensils and the following articles of household furniture: carpets, curtains for the windows, tables, chairs, bedsteads, bureaus, and such other articles of fixed or heavy furniture as may be necessary to furnish said mansion; which was adopted.

The bill, as amended, was then put upon its passage and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to compel all persons liable to do road duty to open new roads; which was read the third time.

On motion of Mr. Stone, the Senate went into committee of the whole on said bill, Mr. Stone in the chair, and after some time spent therein, the committee rose, and reported said bill back with sundry amendments; which said report, on the motion of Mr. Stone, was received and agreed to.

On motion of Mr. Carter, said bill was referred to the Judiciary committee.

The Senate then resolved itself into committee of the whole on the Governor's message, Mr. Carter in the chair, and after some

time spent therein, the committee rose, and Mr. Carter reported the following resolutions, to-wit:

1st. *Resolved*, That so much of the Governor's message as relates to the depredations committed on the State and Chickasaw school lands, be referred to the committee on Propositions and Grievances.

2d. *Resolved*, That so much of the Governor's message as relates to the reports of the Auditor, Treasurer and State Commissioner, be referred to the committee on Accounts.

3d. *Resolved*, That so much of the Governor's message as relates to the cause of education, be referred to the standing committee on Education.

4th. *Resolved*, That so much of the Governor's message as refers to the University of the State of Mississippi, be referred to the standing committee on the Seminary Fund.

5th. *Resolved*, That so much of the Governor's message as relates to the Commissioner of the Sinking Fund, be referred to the committee on Finance.

6th. *Resolved*, That so much of the Governor's message as relates to the revenue law as applied to the sale of land for taxes, be referred to the standing committee on Finance.

7th. *Resolved*, That so much of the Governor's message as relates to the assemblage of citizens on Round Island, be referred to the committee on Federal Relations.

8th. *Resolved*, That so much of the Governor's message as relates to a system of internal improvement by the State, be referred to the joint standing committtee on Internal Improvements.

9th. *Resolved*, That so much of the Governor's message as relates to the Penitentiary, be referred to the joint standing committee on the Penitentiary.

10th. *Resolved*, That so much of the Governor's message as relates to the Lunatic Asylum, be referred to the joint select committee of three on the part of the Senate, and ——— on the part of the House of Representatives.

11th. *Resolved*, That so much of the Governor's message as relates to the Chickasaw school lands, be referred to a joint select committee of five on the part of the Senate, and ——— on the part of the House of Representatives.

12th. *Resolved*, That so much of the Governor's message as relates to the militia law, be referred to the committee on Military Affairs.

13th. *Resolved*, That so much of the Governor's message as relates to the institution of the Blind, be referred to the committee on Education.

14th. *Resolved*, That so much of the Governor's message as relates to the passage of a law reserving a portion of the estates of decedents for the support and education of their orphan children, be referred to the Judiciary committee.

15th. *Resolved*, That so much of the Governor's message as relates to a geological survey of the State, be referred to a joint select committee, to consist of three on the part of the Senate, and —— on the part of the House of Representatives.

16th. *Resolved*, That so much of the Governor's message as relates to the administration of justice in the Circuit courts, be referred to the committee on the Judiciary.

17th. *Resolved*, That so much of the Governor's message as relates to "Resolutions of the Legislatures of the several States of the Union, and also the proceedings of a conventien of the citizens of the State of Mississippi and other documents on the subject of slavery," be referred to the committee on Federal Relations.

On motion of Mr. Carter, the report was received and agreed to, and the committee discharged from the further consideration of said message.

The following message from his Excellency the Governor, through his private Secretary, to-wit:

Mr. President—I am instructed by his Excellency the Governor, to deliver to the Senate a message in writing, which message is as follows, to-wit:

To the Senate:

In the penal case of the State against W. G. Huddleston, administrator of the estate of Jas. M. Matlock, deceased, Wm. D. Ellis as securities of Benj. Bem, in which a judgment of forfeiture was rendered for the State in the Circuit court of Panola county against each of the sureties for the sum of fifteen hundred dollars, besides costs. I ask the advice and consent of the Senate for the remission of the forfeiture, not of the costs. The documents upon which this remission is asked being in the possession of the Senate, I refer to them for information.

J. A. QUITMAN.

Executive Chamber,
Jan'y. 14, 1850.

Which was read and laid on the table.

Mr. Brooke offered the following amendment to the report of the committee of the whole on the Governor's message:

Resolved, That so much of the Governor's message as relates to the 500,000 acres of land, be referred to a joint select committee, to consist of five on the part of the Senate, and —— on the part of the House: which was read.

Mr. Guion moved the adoption of said resolution, which was decided in the negative.

Mr. Brooke called for the ayes and nays thereon, which are as follows, towit:

Ayes—Messrs. Brooke, Beene, Drane, Golladay, Guion,

Hodges, Hughes, Kennedy, McDugald, Ramsay, Reynolds, Stewart and Thompson—13.

Nays—Mr. President, Messrs. Alcorn, Bell, Berry, Cannon, Davis, Gilleland, Greer, McAlee, Pettus, Stone, Torrey, Tate and White—15.

On motion of Mr. Gilleland, the report of the committee of the whole on the Governor's message was adopted.

Mr. Berry, from the joint committee on Enrolled Bills made the following report, to-wit:

Mr. President—The joint committee on Enrolled Bills have this day presented to his Excellency the Governor for his approval and signature, bills of the following titles, to-wit:

An act to authorise the President of the Board of Police of the county of Chickasaw to require William L. Baskin, tax collector of said county, to execute a valid official bond;

An act to change the time of holding the Probate court of Pike county, and for other purposes;

An act relative to the drawing of jurors in the county of Claiborne.

A resolution in relation to the assessment rolls of Harrison county, for the year 1841.

On motion of Mr. Tate, the message from the Governor asking the advice and consent of the Senate in the remission of the fine in the case of the State against W. G. Huddleston, administrator of the estate of James M. Matlock, deceased, &c., was called from the table; and on motion of Mr. Tate, the Senate went into Executive session on said message, with open doors, and after some time spent therein, on the further motion of Mr. Tate, the Senate advised and consulted as asked by the Governor in said message.

On motion of Mr. Guion, the Executive session rose.

The following message was received from his Excellency the Governor, through his private Secretary, to-wit:

Mr. President—I am instructed by his Excellency the Governor, to inform the Senate that he has this day approved and signed bills of the following titles, to-wit:

An act relative to the drawing of jurors in the county of Claiborne;

Also, an act to authorise the President of the Board of Police of the county of Chickasaw to require William L. Baskin, tax collector of said county, to execute a valid official bond;

Also, a resolution in relation to the assessment roll of Harrison county, for the year 1841.

On motion of Mr. Brooke, leave of absence was granted to Mr. Sharkey for a short time.

On motion of Mr. Bell, the resolution of the House of Representatives in relation to the Chickasaw school lands, was taken up and concurred in, and the blank filled up with the names of all the Senators from the Chickasaw counties, as the committee on the

part of the Senate; whose names are as follows, viz: Messrs. Bell, Alcorn, Berry, Beene, Cannon, Greer, Reynolds, Thompson, Tait and Talliaferro.

Mr. Alcorn ased and obtained leave to introduce a bill to be entitled an act to change the time of holding the Probate court of Coahoma county, and for other purposes; which was read the first time.

On motion of Mr Alcorn, the rule was suspended, and the bill read a second time by title.

On the further motion of Mr. Alcorn, said bill was ordered to be engrossed for a third reading on to-morrow.

On motion of Mr. Guion, the Senate adjourned until to-morrow morning, 10 o'clock.

TUESDAY, JANUARY 15, 1850.

The Senate met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Stitetler.

The journal of yesterday was read.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to-wit:

MR. PRESIDENT—The House of Representatives have adopted the following joint resolution:

Resolved, the Senate concurring, that the joint standing committee on State and Federal Elections, inquire into the expediency of prohibiting, by law, the introduction of slaves into this State as merchandize, or for hire, and that they report by bill or otherwise. In which I am instructed to desire the concurrence of the Senate.

The House of Representatives have concurred in the Senate's resolution, that 5000 copies of the proceedings of the State convention, held in the city of Jackson, on the first Monday in October last; and the proceedings of the central meeting held in Jackson, in May last; 2000 for the use of the Senate, and 3000 for the use of the House be ordered to be printed in pamphlet form.

And have made the following amendment thereto, to-wit:

Amend, by adding, "that our Governor be requested to furnish a copy of said proceedings to the Executives of all the States in the Union, and to our Senators and Representatives in Congress, to be presented by them to their respective houses." In which I am instructed to desire the concurrence of the Senate.

The House of Representatives have given leave to the introduction of bills of the following titles, to-wit:

A bill to be entitled, an act for the benefit of Elihu Kooner.

A bill to be entitled, an act to incorporate the town of Shongola, in the county of Carroll.

A bill to be entitled, an act authorizing the Auditor of Public Accounts to settle the claim of Robert Josselyn for printing done for the State of Mississippi, during the years 1842 and 1843.

A bill to be entitled, an act to incorporate the Yazoo City and Columbus railroad company.

A bill to be entitled, an act to change the name of Mary Ann Eliza Ligon, to that of Mary Ann Eliza McAlister.

A bill to be entitled, an act to amend an act entitled an act, to change the time of holding the courts of the 6th judicial circuit court districts, approved Feb. 9, 1848.

A bill to be entitled, an act to change the time of holding the vice chancery courts for the southern district of the State of Mississippi.

A bill to be entitled, an act to change the name of Mrs. Judith Edwards, to that of Mrs. Judith Harrison.

A bill to be entitled, an act to provide for the payment of teachers employed under an act to establish common schools, and for other purposes, approved March 4, 1846.

The President announced the appointment of the following committee on the part of the Senate, on the joint resolution, referring that portion of the Governor's message, which relates to the lunatic asylum, to a joint committee of three, on the part of the Senate, and — on the part of the House of Representatives, namely, Messrs. Hodges, Thompson, and Singleton.

The President also announced the appointment of the following committee on the part of the Senate, on the joint resolution, referring that part of the Governor's message, which relates to a geological survey of the State, to a joint select committee of three on the part of the Senate, and — on the part of the House of Representatives, namely, Messrs. White, Pettus, and Stewart.

Mr. Guion presented the petition of P. W. Tompkins and others, citizens of Warren county; which was read, and, on motion of Mr. Guion, referred to the committee on the Judiciary.

Mr. Guion presented the petition of Thomas F. Collins, of the city of Jackson; which was read, and, on motion of Mr. Guion, referred to a select committee of three

Messrs. Guion, Stewart, and White were appointed said committee.

Mr. Davis presented the memorial of Jefferson Davis; which was read, and, on motion of Mr. Davis, said memorial with the accompanying documents, were referred to a joint select committee of three on the part of the Senate, and — on the part of the House of Representatives.

Messrs. Davis, Stone, and Singleton, were appointed said committee on the part of the Senate.

Mr. Guion asked and obtained leave to introduce a bill to be

entitled, an act to amend the laws of the State, concerning slaves, free negroes, and mulottoes; which was read the first time, and, on motion of Mr. Guion, said bill was laid on the table, and 200 copies ordered to be printed for the use of the Senate.

Mr. Brooke asked and obtained leave, to introduce a bill to be entitled, an act proposing an amendment to the constitution of the State of Mississippi; which was read the first time.

On motion of Mr. Brooke, the rule was suspended, and the bill read a second time by title.

Mr. Brooke moved that said bill be referred to the Judiciary committee.

On motion of Mr. Bell, said bill was laid on the table.

Mr. Beene, from the committee on Engrossed Bills, made the following report, to-wit:

Mr. President—The committee on Engrossed Bills, have examined bills of the following titles, to-wit:

A bill to be entitled, an act to incorporate the Holmes county manufacturing company. Also,

A bill to be entitled, an act to change the time of holding the probate court of Coahoma county, and for other purposes. Also,

A bill to be entitled, an act to repeal the first section of an act to amend the road laws for the county of Monroe, approved February 23, 1848; and have found the same correctly engrossed.

Mr. Guion asked and obtained leave, to introduce a bill, to be entitled, an act for the benefit of William Henry, and John Anderson Derald; which was read the first time.

On motion of Mr. Guion, the rule was suspended, and the bill read a second time by title.

On the further motion of Mr. Guion, the rule was further suspended, the bill considered as engrossed, read a third time and passed.

Ordered, That the title thereof be as stated.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to-wit:

Mr. President—The House of Representatives have concurred in the Senate's resolution, "referring so much of the Governor's message, as relates to a system of internal improvements by the State, to the joint standing committee on Internal Improvements."

Also, in the resolution, "referring so much of the Governor's message as relates to the penitentiary, to the joint standing committee on the Penitentiary."

Also, in the resolution "referring so much of the Governor's message, as relates to a geological survey of the State, to a joint select committee, consisting of three on the part of the Senate, and — on the part of the House," and have filled the blank with the number five.

The Chair appointed as said committee, on the part of the House, Messrs. Baker of Hinds, Wilcox, Rozell, Trussell, and Estell.

Also, in the resolution, "referring so much of the Governor's message, as relates to the lunatic asylum to a joint select committee of three on the part of the Senate, and — on the part of the House;" and have filled the blank with the number five.

The Chair appointed, as said committee, Messrs. Catchings, Thomas of Yazoo, Armstrong, Vaiden, and Rogers.

The House of Representatives have passed a Senate bill of the following title:

A bill to be entitled, an act for the relief of the heirs and representatives of John T. Johnston, deceased.

Mr. Singleton asked and obtained leave, to introduce a bill, to be entitled, an act to establish a central vice chancery court; which was read the first time.

On motion of Mr. Singleton, the rule was suspended, and the bill read a second time by the title.

On the further motion of Mr. Singleton, said bill was referred to the Judiciary committee.

Mr. Brooke asked and obtained leave, to introduce a bill, to be entitled, an act in relation to suits against infants under the age of 20 years; which was read the first time.

On motion of Mr. Brooke, the rule was suspended, the bill read a second time by title.

On the further motion of Mr. Brooke, said bill was referred to the Judiciary committee.

The Senate then proceeded to the consideration of the orders of the day.

On motion of Mr. Guion, a bill to be entitled, an act to incorporate the New Orleans and Jackson railroad company, and for other purposes; which has been made the special order for this hour, was taken up, and read the third time.

And on motion of Mr. Kennedy, said bill was re-committed to a committee of the whole House, and made the special of the day for to-morrow.

A bill to be entitled, an act to incorporate the Holmes county manufacturing company; was read a third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act to repeal the first section of an act entitled an act to amend the road laws of the county of Monroe, approved 23d of Feb., 1848; was read a third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act to change the time of holding the probate court of Coahoma county, and for other purposes; was read a third time and passed.

Ordered, That the title thereof be as stated.

Mr. Alcorn asked and obtained leave, to introduce the following preamble and resolution, to-wit:

WHEREAS, the first, as well as the last great care of the peoples representatives in a sovereign State, should be scrupulously to maintain the dignity and honor of their State;

AND, WHEREAS, this principle is forfeited at that point where the State through her Representatives, refuses to appropriate her surplus revenue to the extinguishment of her pecuniary liabilities; therefore,

Be it resolved by the Legislature of the State of Mississippi, That the surplus moneys now in the treasury of this State, exclusive of all trust funds, and exclusive, also, of such sum as may be necessary to carry on the operations of the State government to the end of the present fiscal year, shall be appropriated, (so far as it will go,) to the extinguishment of the coupons of interest due and falling due upon the bonds of this State, which were sold for stock in the Planters' Bank, the debt due and owing by the State, and demanding payment upon every principle of honesty and justice, so far, at least, as the means within the control of the Legislature will warrant.

Resolved, That any appropriation of money accruing under the revenue laws of this State, to works of internal improvement, while a just debt against the State demands liquidation, would be acting in bad faith to our creditors, and a policy which the peoples' Representstives, now assembled, declare they will not adopt.

Which was read the first time, and laid on the table and ordered to be entered on the orders of the day for a second reading on to-morrow.

Mr. McDugald asked and obtained leave, to introduce a bill, to be entitled, an act to change the time of holding the probate court of Jasper county; which was read the first time.

On motion of McDugald, the rule was suspended, and the bill read a second time by title.

On the further motion of Mr. McDugald, the rule was further suspended, the bill considered as engrossed, read a third time and passed.

Ordered, That the title thereof be as stated.

Mr. Brooke asked and obtained leave to introduce the following resolution, to-wit:

Resolved, That in the opinion of the Senate, it is inexpedient at this session to adopt any scheme of internal improvement, based on the surplus revenue now in the treasury, as said revenue is needed to discharge the legal obligations of the State, and for other purposes; which was read.

Mr. Alcorn moved the adoption of said resolution, and called for the ayes and nays thereon.

Mr. Drane moved to amend said resolution, by striking out all after the word "treasury;" which amendment was accepted by Mr. Brooke.

Mr. Bell moved to lay said resolution, as amended, on the table.

Mr. Stone called for the ayes and nays on Mr. Bell's motion to lay on the table, which are as follows, viz:

AYES.—Messrs. Bell, Berry, Beene, Catchings, Carter, Gilleland, Greer, Hughes, McDugald, McAfee, Stone, Pettus, Torrey, Talliaferro, and Thompson—15.

NAYS.—Mr. President, Messrs. Alcorn, Brooke, Cannon, Drane, Davis, Guion, Hodges, Kennedy, Ramsay, Reynolds, Singleton, Stewart, Tait, and White—15.

So the Senate refused to lay said resolution on the table.

The question was then had on the adoption of the resolution, as amended.

And the ayes and nays being called for by Mr. Bell, they are as follows:

AYES—Mr. President, Messrs, Brooke, Cannon, Drane Guion, Kennedy, Ramsay, Reynolds, Singleton, Stewart, and Tait—12.

NAYS—Messrs. Alcorn, Bell, Berry, Beene, Catchings, Carter, Gilleland, Greer, Hodges, Hughes, McDugald, McAfee, Pettus, Stone, Torrey, Talliaferro, Thompson, and White—18.

So said resolution was lost.

Mr. Alcorn asked to be excused from voting on said resolution; which was denied.

On motion of Mr. White, the Senate adjourned till to-morrow morning, 10 o'clock.

WEDNESDAY. JANUARY 16, 1850.

The Senate met pursuant to adjournment, and was opened by prayer by the Rev. Mr. Walker.

The journal of yesterday was read.

On motion of Mr. Drane, the resolution authorizing the printing of five thousand copies of the proceedings of the State Convention, held in the city of Jackson on the first Monday in October, and the proceedings of "the Central Meeting, held in Jackson in May last," &c., was taken up, and, on motion of Mr. Drane, the amendment made by the House of Representatives to said resolution was concurred in.

Mr. Torrey asked and obtained leave to introduce a bill to be entitled an act for the benefit of Sarah Chadwick, of Jefferson county; which was read the first time.

On motion of Mr. Torrey, the rule was suspended and the bill read a second time by title.

On the further motion of Mr. Torrey, the rule was further suspended, the bill considered as engrossed, read a third time and passed.

Ordered, that the title thereof be as stated.

Mr. Pettus asked and obtained leave to introduce a bill to be entitled an act to amend the constitution of the State of Mississippi; which was read the first time.

Mr. Stewart asked and obtained leave to introduce a bill to be entitled an act to amend an act entitled an act concerning divorce and alimony, passed June 15th, 1822; which was read the first time.

On motion of Mr. Stewart, the rule was suspended and the bill read a second time by title.

On the further motion of Mr. Stewart, said bill was referred to the Committee on the Judiciary.

Mr. Greer asked and obtained leave to introduce a bill to be entitled an act to repeal the forthcoming bond law of this State; which was read the first time.

On motion of Mr. Greer, the rule was suspended and the bill read a second time by title.

On the further motion of Mr. Greer, said bill was referred to the Judiciary Committee.

The following message was received from the House of Representatives, through their clerk, to wit:

Mr. President—The House of Representatives have given leave to the introduction of bills of the following titles, to wit:

A bill to be entitled an act for the relief of Elisha Jacobs, of Amite county;

A bill to be entitled an act for the relief of Garrett Ford.

The Speaker of the House of Representatives has signed—

An act for the relief of the heirs and representatives of John T. Johnston, deceased;

An act to incorporate the Wilkinson County Manufacturing Company;

Which I am instructed to present to the Senate for the signature of the President.

The President signed the bills in said message named.

Mr. Berry, from the Committee on Enrolled Bills, made the following report, to wit:

Mr. President—The Joint Committee on Enrolled Bills have this day examined bills of the following titles, viz:

An act to incorporate the Wilkinson County Manufacturing Company;

An act for the relief of the heirs and representatives of John T. Johnston, deceased, and have found the same correctly enrolled.

On motion of Mr. Brooke, a bill to be entitled an act proposing an amendment to the constitution of the State of Mississippi, was called from the table, and, on the further motion of Mr. Brooke, said bill was referred to the Judiciary Committee.

Mr. Reynolds asked and obtained leave to introduce a bill to be entitled an act to reduce the taxes of this State; which was read the first time.

Mr. Singleton asked and obtained leave to introduce sundry resolutions in relation to the slavery question; which were read the first time.

On motion of Mr. Singleton, said resolutions were referred to the joint standing committee on Federal Relations.

Mr. Brooke asked and obtained leave to introduce a bill to be entitled an act to provide for the sale of the five hundred thousand acres of land donated to the State of Mississippi by the Congress of the United States, for the purposes of internal improvement, and to repeal an act, with the same title, approved February 23d, 1848; which was read the first time.

Mr. Brooke moved a suspension of the rule, in order that the bill might be read a second time forthwith; which motion was lost.

Mr. Ramsay asked and obtained leave to introduce a bill to be entitled an act to prevent the sale of ardent spirits in certain cases; which was read the first time.

The Senate then proceeded to the consideration of the orders of the day:

A resolution in relation to the surplus money in the treasury; which was read the second time.

Mr. Pettus moved to postpone the further consideration of said resolution until the 15th of February next; which was adopted.

Mr. Alcorn called for the ayes and nays, which are as follows, to wit:

Ayes—Mr. President, Messrs. Bell, Berry, Beene, Cannon, Carters, Drane, Davis, Golliday, Gilleland, Hughes, Kennedy, McDugald, McAfee, Pettus, Ramsay, Reynolds, Singleton, Stone, Stewart, Torrey, Talliaferro, Thompson and White—25.

Nays—Messrs. Alcorn, Brooke, Hodges and Tait—4.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

Mr. President—The House of Representatives have passed a Senate bill of the following title, to wit:

A bill to be entitled an act to make an appropriation to repair and furnish the Executive mansion, and for other purposes.

A bill to be entitled an act to incorporate the New Orleans and Jackson Railroad Company, and for other purposes, was taken up.

On motion of Mr. Stone, the Senate resolved itself into Commmittee of the Whole on said bill, Mr. Bell in the chair; and, after some time spent therein, the committee rose, and Mr. Bell reported said bill back to the Senate, with sundry amendments, and recommended its passage.

Mr. Bell moved the report be received and agreed to.

Mr. Kennedy called for a division of the question.

The vote was first taken on the reception of the report; which was decided in the affirmative.

The vote was next taken on agreeing to the report; which was decided in the affirmative.

Mr. Kennedy offered the following amendment, to wit:

Strike out section nineteenth, and insert as follows: "That the capital stock of said company shall, from and after the time said road shall go into operation, be subject to a taxation at such rate as capital similarly vested is taxed in this State.

"*Be it further enacted*, That both baggage and passenger cars, locomotives, and all other property not classed nor specially taxed by the revenue laws of this State, now in force, shall be taxed according to their value; and should said company fail or refuse to render in such schedule, on oath, by some authorized agent, the tax collector at the terminus, to wit: Jackson, Hinds county, shall arrest and seize said property, and, after due notice, shall sell so much thereof as shall be sufficient to pay the tax due thereon; and, in such case, the assessor or collector, as the case may be, is hereby authorized, in his sound discretion, to value said property, and tax the same, accordingly."

Mr. Kennedy called for the ayes and nays thereon.

Mr. Guion offered the following amendment to the amendment, to wit:

Amend by inserting, at the end of said section, the words: "And all steamboats, navigating the river, within the jurisdiction of this State, shall be subjected to a similar tax, to be collected in like manner, by the sheriff of any county where such boat may land."

Mr. Kennedy called for the ayes and nays on the amendment to the amendment.

Mr. Alcorn moved to lay said amendment, with the amendments, on the table; which was adopted.

Mr. Alcorn called for the ayes and nays thereon, which are as follows, to wit:

AYES—Mr. President, Messrs. Alcorn, Brooke, Bell, Berry, Catchings, Cannon, Carter, Golladay, Gilleland, Greer, Guion, Hodges, Hughes, McAfee, Pettus, Singleton, Stone, Stewart, Torrey, Thompson, Tait and White—24.

NAYS—Messrs. Beene, Drane, Kennedy, McDugald, Ramsay, Reynolds and Talliaferro—7.

On motion of Mr. Guion, said bill, as amended, was ordered to be engrossed for a third reading on to-morrow.

On motion of Mr. Carter, the Senate adjourned until to-morrow morning, 10 o'clock.

THURSDAY, JANUARY 17, 1850.

The Senate met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Walker.

The journal of yesterday was read.

Mr. Berry, from the Committee on Enrolled Bills, made the following report, to wit:

Mr. President—The Committee on Enrolled Bills have this day presented to his Excellency, the Governor, for his approval and signature, bills of the following titles, to wit:

An act for the relief of the heirs and representatives of John T. Johnston, deceased;

An act to incorporate the Wilkinson County Manufacturing Company.

Mr. McAfee presented the petition of Robert Mitchell; which was read, and, on motion of Mr. McAfee, referred to the Committee on Propositions and Grievances.

Mr. Berry, from the Committee on Enrolled Bills, made the following report, to wit:

Mr. President—The joint standing Committee on Enrolled Bills have this day examined a bill of the following title, to wit:

An act to make an appropriation to repair and furnish the Executive mansion, and for other purposes;

And have found the same correctly enrolled.

Mr. Gilleland asked and obtained leave to introduce a bill to be entitled an act to incorporate the town of Carthage, in Leake county; which was read the first time.

On motion of Mr. Gilleland, the rule was suspended and the bill read a second time by title.

On the further motion of Mr. Gilleland, said bill was referred to a select committee of three.

Messrs. Gilleland, Singleton and Carter were appointed said committee.

Mr. Kennedy asked and obtained leave to introduce a bill to be entitled an act to incorporate the Carroll County Manufacturing Company; which was read the first time.

On motion of Mr. Kennedy, the rule was suspended, and the bill read a second time by title.

On the further motion of Mr. Kennedy, said bill was ordered to be engrossed for a third reading on to-morrow.

Mr. Pettus presented the petition of John S. Moseley, and others, citizens of Kemper county; which was read, and, on motion of Mr. Pettus, was referred to the Committee on Internal Improvements.

Mr. Singleton presented the petition of divers citizens of the counties lying on the waters of the Big Black river, praying the legislature to make an appropriation for improving the navigation of said river; which was read, and, motion of Mr. Singleton, referred to the Committee on Internal Improvements.

Mr. Berry asked and obtained leave to offer the following resolution:

Resolved, That the Judiciary Committee be instructed to report a bill to provide for the amending of the constitution of this

State, so that the elections to fill civil and political offices shall take place at different times: Also, to inquire into the expediency of so amending the constitution as to increase the jurisdiction of magistrates to two hundred dollars;

And, on motion of Mr. Berry, was adopted.

Mr. Beene, from the Committee on Engrossed Bills, made the following report, to wit:

Mr. President—The Committee on Engrossed Bills have examined a bill to incorporate the New Orleans and Jackson Rail-road Company, and for other purposes, and have found the same correctly engrossed.

Mr. White asked and obtained leave to introduce a bill to be entitled an act to amend the levee law of Washington county; which was read the first time.

On motion of Mr. White, the rule was suspended, and the bill read a second time by title.

On the further motion of Mr. White, said bill was ordered to be engrossed for a third reading on to-morrow.

The following message was received from the House of Representatives, to wit:

Mr. President—The House of Representatives have given leave to the introduction of bills of the following titles:

A bill to be entitled an act for the relief of Moses G Robinson;

A bill to be entitled an act to authorize John Standing to hawk and peddle within the bounds of the county of Tishemingo, without a license for the same;

A bill to be entitled an act to authorize John T. Otis to establish a ferry across Big Bear Creek, near the town of Eastport, in the county of Tishemingo;

A bill to be entitled an act for the relief of John W. Jenkins;

A bill to be entitled an act to provide for the improvement of the navigation of the rivers of the State of Mississippi.

Mr. Cannon, from the standing Committee on Claims, made the following report, to wit:

Mr. President—The Committee on Claims, to whom was referred the petition of E. C. Egliston, have had the same under consideration, and have instructed me to report the following

Bill, to be entitled an act for the relief of E. C. Egliston; which was read the first time.

Mr. McAfee asked and obtained leave to introduce a bill to be entitled an act to change the time of holding the probate court of the county of Covington; which was read the first time.

On motion of Mr. McAfee, the rule was suspended, and the bill read a second time by title.

On the further motion of Mr. McAfee, said bill was ordered to be engrossed for a third reading on to-morrow.

Mr. Singleton asked and obtained leave to offer the following resolution, to wit:

Resolved, That the Committee on the Judiciary be instructed to inquire what reforms are necessary in the laws of this State in relation to runaway slaves; and especially to inquire into the expediency of so amending them that no runaway slaves shall hereafter be sold out of jail, but shall be employed upon the public works of the State, or confined in the State penitentiary, to such labor as is now carried on in that establishment, until called for by their owners.

Which was read, and, on motion of Mr. Singleton, was adopted.

On motion of Mr. Guion, the Senate proceeded to the consideration of the orders of the day:

A bill to be entitled an act to incorporate the New Orleans and Jackson Railroad Company, and for other purposes, was read the third time and passed.

Ordered, that the title be as stated.

A bill to be entitled an act to amend the constitution of the State of Mississippi, was read the first time.

Mr. Pettus offered the following amendment, viz:

"*Be it further enacted*, That it shall be the duty of the managers of the election to inquire of each voter, when he deposits his ticket, whether he is in favor or opposed to said amendment; and it shall be the duty of the sheriff of each county to furnish the returning officer of each precinct in their several counties with a copy of this act."

Which was adopted.

On motion of Mr. Brooke, said bill, as amended, was referred to the Judiciary Committee.

A bill to be entitled an act to reduce the taxes of this State, was read the second time.

On motion of Mr. Reynolds, said bill was referred to a select committee of three.

Messrs. Reynolds, Thompson and McAfee were appointed said committee.

A bill to be entitled an act to provide for the sale of the five hundred thousand acres of land donated to the State of Mississippi, by the Congress of the United States, for purposes of internal improvement, and to repeal an act, with the same title, approved February 23d, 1848, was read the second time.

On motion of Mr. Brooke, said bill was referred to a committee of the whole House, and made the special order of the day for to-morrow at 11 o'clock, A. M.

A bill to be entitled an act to prevent the sale of ardent spirits, in certain cases, was read the second time.

On motion of Mr. Ramsay, said bill was ordered to be engrossed for a third reading on to-morrow.

On motion of Mr. Kennedy, the Senate adjourned until 10 o'clock to-morrow morning.

FRIDAY, JANUARY 18, 1850.

The Senate met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Russell.

The journal of yesterday was read.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

MR. PRESIDENT—The House of Representatives have passed a Senate bill of the following title:

A bill to be entitled an act to incorporate the Holmes county manufacturing company; and have concurred in the Senate resolution referring the memorial of Col. Jefferson Davis, and the accompanying documents, to a joint special committee of three, on the part of the Senate, and ——— on the part of the House, with instructions to report on the same; and have filled the blank with the number five.

The Chair appointed as said committee, on the part of the House, Messrs. Noble, Blythe, Arthur, Hughes and Estelle.

The Speaker of the House has signed an an act to make appropriation to repair and furnish the Executive mansion, and for other purposes; which I am instructed to present to the Senate for the signature of the President.

The President signed the bill therein named.

On motion of Mr. Stewart, leave of absence was granted to Mr. Davis for a short time.

On motion of Mr. McDugald, leave of absence was granted to Mr. Hodges for a short time.

Mr. Guion presented the petition of the members of the bar, practising in the Superior Court of Chancery, held at the city of Jackson, praying the Legislature to make an appropriation to J. T. Simms for making a general index to said court; which was read, and, on motion of Mr. Guion, referred to the Committee on the Judiciary.

The following message was received from the House of Representatives, through their clerk, Mr. Russell:

MR. PRESIDENT—The House of Representatives have adopted the following joint resolution, to wit:

Resolved, (the Senate concurring,) That the joint standing committee on the Penitentiary be authorized to send for persons and papers, and take evidence on oath, if they shall find the same necessary, in the discharge of their duties.

In which I am instructed to desire the concurrence of the Senate.

Mr. Beene, from the Committee on Engrossed Bills, made the following report, to wit:

Mr. President—The Committee on Engrossed Bills have examined bills of the following titles, to wit:

A bill to be entitled an act to amend the levee laws of Washington county;

A bill to be entitled an act to incorporate the Carroll county manufacturing company;

A bill to be entitled an act to prevent the sale of ardent spirits, in certain cases;

A bill to be entitled an act to change the time of holding the probate court of Covington county; and have found the same correctly engrossed.

Mr. Guion, from the joint standing committee on State and Federal Relations, made the following report; to wit:

Mr. President—The joint standing committee on Federal and State relations, to whom was referred so much of the Governor's message as relates to the subject of slavery and the unhappy agitation of it, which at present distracts the councils of the nation, and threatens the dissolution of our Union as a confederacy of States, have had the subject under consideration, and have instructed me to make the following report:

We have arrived at a period in the political existence of our country, when the fears of the patriot and philanthropist may well be excited, lest the noblest fabric of constitutional government on earth may, ere long, be laid in ruins by the elements of discord, engendered by an unholy lust for power, and the fell spirit of fanaticism acting upon the minds of our brethren of the non-slaveholding States; and that beneath its ruins will be forever buried the hopes of an admiring world for the political regeneration of enslaved millions. The fact can no longer be disguised, that our brethren of the free States, so called, disregarding the compromises of the constitution—*compromises without which*, it never would have received the sanction of the slaveholding States, are determined to pursue towards those States a course of policy, and to adopt a system of legislation by Congress, destructive of their best rights and most cherished domestic institution. In vain have the citizens of the slave States appealed to their brethren of the free States, in a spirit of brotherly love and devotion to that constitution framed by our fathers and cemented by their blood, as a common shield and protection for the rights of all their descendants. In vain have they invoked the guarantees of that sacred instrument, as a barrier to the encroachments of their brethren upon their rights. The spirit of forbearance and concession, which has been for more than thirty years manifested and acted on by the slaveholding States, has but strengthened the determination of their Northern brethren, to fasten upon them a system of legislation in regard to their peculiar domestic relations, as fatal in its effects to their prosperity and happiness as members of the confederacy, as it is un-

just and contrary to the principles and provisions of the constitution.

Slavery, as it exists in the southern States, recognised and protected by the constitutioon of the United States, is a domestic relation, subject to be abolished or modified by the sovereign power alone of the States in which it prevails; it is not a moral or political evil, but an element of prosperity and happiness both to the master and slave.

Abolish slavery, and you convert the fair and blooming fields of the South into barren heaths; their high-souled and chivalrous proprietors into abject dependants—and the *now* happy and contented slaves into squalid and degraded objects of misery and wretchedness!

The southern States have remonstrated and forborne until forbearance is no longer a virtue. The time has arrived when, if they hope to preserve their existence as equal members of the confederacy, and to avert the calamities which their northern brethren, actuated by an insatiate and maddening thirst for power would entail upon them, they must prepare *to act*—to act with resolution, firmness and unity of purpose, trusting to the righteousness of their cause and the protection of the Almighty Ruler of the destinies of nations, who ever looks benignantly upon the exertions of those who contend for the prerogatives of freemen. Therefore, be it

Resolved by the Legislature of the State of Mississippi, That they cordially approve of the action of the Southern State Convention, held at the city of Jackson on the first Monday of October, 1849, and adopt the following resolutions of said body as declaratory of the opinions of this Legislature, and of the people of the State of Mississippi:

1st. *Resolved*, That we continue to entertain a devoted and cherished attachment to the Union, but we desire to have it as it was formed, and not as an engine of oppression.

2. That the institution of slavery in the southern States is left, by the constitution, exclusively under the control of the States in which it exists, as a part of their domestic policy, which they, and they only, have the right to regulate, abolish or perpetuate, as they may severally judge expedient; and that all attempts, on the part of Congress, or others, to interfere with this subject, either directly or indirectly, are in violation of the constitution, dangerous to the rights and safety of the South, and ought to be promptly resisted.

3. That Congress has no power to pass any law abolishing slavery in the District of Columbia, or to prohibit the slave trade between the several States, or to prohibit the introduction of slavery into the territories of the Unitited States; and that the passage by Congress of any such law, would not only be a dangerous violation of the constitution, but would afford evidence of a fixed

and deliberate design, on the part of that body, to interfere with the institution of slavery in the States.

4. That we would regard the passage, by Congress, of the "Wilmot Proviso," (which would, in effect, deprive the citizens of the slaveholding States of an equal participation in the territories acquired equally by their blood and treasure,) as an unjust and insulting discrimination—to which these States cannot without political degradation, submit; and to which this convention, representing the feelings and opinions of the people of Mississippi, solemnly declare they will not submit.

5. That the passage of the Wilmot Proviso, or of any law abolishing slavery in the District of Columbia, by the Congress of the United States, would, of itself, be such a breach of the federal compact as, in that event, will make it the duty, as it is the right of the slaveholding States, to take care of their own safety, and to treat the non-slaveholding States as enemies to the slaveholding States and their domestic institutions.

7. That, in view of the frequent and increasing evidence of the determination of the people of the non-slaveholding States, to disregare the guarantees of the constitution, and to agitate the subject of slavery, both in and out of Congress, avowedly for the purpose of effecting its abolition in the States; and, also, in view of the facts set forth in the late "Address of the Southern Members of Congress," this convention proclaims the deliberate conviction, that the time has arrived when the southern States should take counsel together for their common safety; and that a convention of the slaveholding States should be held at Nashville, Tenn., on the 1st MONDAY IN JUNE next, to devise and adopt some mode of resistance to these aggressions; and that this convention do appoint twelve delegates and twelve alternates—being double the number of our Senators and Representatives in Congress—to attend such convention, and that the other slaveholding States be invited to appoint delegates agreeably to the same ratio of representation.

8. That in the language of an eminent northern writer and patriot, "The rights of the South in African service, exist not only *under* but *over* the constitution. They existed before the Government was formed. The constitution was rather sanctioned by them than they by the constitution. Had not that instrument admitted the soveignty of those rights, it never would have been itself admitted by the South. It bowed in deference to rights older in their date, stronger in their claims, and holier in their nature, than any other which the constitution can boast. Those rights may not be changed—even by a change of the constitution. They are out of the reach of the nation, as a nation. The confederacy may dissolve and the consttitution pass away, but those rights will remain unshaken,—will exist while the Routh exests—and when they fall, the South will perish with them."

Be it further resolved. That it is the duty of the Congress

of the United States to provide territorial organization and governments for all the territories acquired by the common blood and treasure of the citizens of the several States; and to provide the means of enforcing in said territories the guaranties of the constitution of the United States in reference to the property of citizens of any of the States removing to any of said territories with the same, without distinction or limitation.

Be it further resolved, That the sum of two hundred and fifty thousand dollars be and the same is hereby appropriated and placed at the disposal and control of the Governor of this State, to be drawn from the treasury upon his requisitions, and to be used, if necessary, in protecting the constitutional and sovereign rights of the State, in the event of the passage by the Congress of the United States and the approval by the President of any bill containing the "Wilmot Proviso," as applicable to any of the territories of the United States; or of any law abolishing slavery in any State or territory, or in the District of Columbia, or the slave trade between said District and any of the States.

Be it further resolved, That in the event of the passage by the Congress of the United States of any of the measures enumerated in the preceding resolutions, and such action therein by the convention of slaveholding States, to be held in Nashville on the first Monday in June next, as shall in the opinion of the Governor, render a convention of the people necessary for the assertion and defence of their sovereign and constitutional rights, he is hereby authorised and required to issue writs of election to the several counties of the State for the choice of delegates to said convention; each county shall be entitled to a number of delegates equal to double the number of its representatives in the house of representatives, to be an equal number of each of the great political parties of the State; to secure which object, the requisite number of candidates of each party having received the highest number of votes, shall be declared elected; the election for such delegates shall be held at such time and upon such notice as the Governor shall designate, and shall be conducted, and the returning thereof be made in all respects as elections for representatives to the legislature are by law required to be held and conducted; and said convention shall assemble and hold their session at the city of Jackson, at such time as the Governor shall appoint.

Be it further resolved, That in addition to the delegates heretofore appointed to represent this State in the convention of slaveholding States, to be held at Nashville on the first Monday in June next, provision shall be made by law for electing by the people of each Congressional District, two delegates to said convention.

Be it further resolved, That the State of Mississippi will stand

by and sustain her sister States of the South in whatever course of action may be determined on by the convention of slaveholding States to be held at Nashville on the first Monday in June next.

Be it further resolved, That His Excellency the Governor be requested to forward a copy of this report to the President of the United States, to each of our Senators and Representatives in Congress, and to the Governor of each of the States.

JNO. I. GUION, Chairman.

Which was read, and on motion of Mr. Gilleland, was received and laid upon the table, and five hundred copies ordered to be printed for the use of the Senate.

Mr. Singleton asked to withdraw the memorial signed by certain citizens residing in the counties bordering on the Big Black river, praying an appropriation; which was granted.

Mr. Gilleland, from a select committee, made the following report, to wit:

MR. PRESIDENT—The select committee, to whom was referred the bill entitled an act to incorporate the town of Carthage, in Leake county, have had the same under consideration, and have made an amendment thereto, and directed me to report the same, as amended, and recommend its passage.

On motion of Mr. Gilleland, the report was received and agreed to, and the bill therein reported, entitled an act to incorporate the town of Carthage, in Leake county, was, on the further motion of Mr. Gilleland, ordered to be engrossed for a third reading on to-morrow.

Mr. Singleton asked and obtained leave to introduce a bill to be entitled an act for the relief of James Gilmore Anderson and Augustus R. Anderson; which was read the first time.

On motion of Mr. Singleton, the rule was suspended and the bill read a second time by title.

On the further motion of Mr. Singleton, the rule was further suspended, the bill considered as engrossed, read a third time and passed.

Ordered, That the title thereof be as stated.

Mr. Stewart asked and obtained leave to introduce a bill to be entitled an act to prevent injuries to the telegraph line in this State, and for other purposes; which was read the first time.

On motion of Mr. Stewart, the rule was suspended and the bill read a second time by title.

On the further motion of Mr. Stewart, said bill was ordered to be engrossed for a third reading on to-morrow.

Mr. Brooke asked and obtained leave to offer the following resolution, to wit:

Resolved, That one hundred copies of the Auditor's report be printed for the use of the Senate.

Mr. Cannon moved to amend said resolution by adding, after the word "Auditor's," the word "Treasurer's;" which was accepted by Mr. Brooke.

On motion of Mr. Brooke, said resolution, as amended, was adopted.

Mr. Ramsay asked and obtained leave to introduce a bill to be entitled an act to legalize the acts of the probate court of Pike county; which was read the first time.

On motion of Mr. Ramsay, the rule was suspended and the bill read a second time by title.

On the further motion of Mr. Ramsay, said bill was ordered to be engrossed for a third reading on to-morrow.

Mr. Torrey asked and obtained leave to introduce a bill to be entitled an act to enable the board of police of Jefferson county to levy a special tax for the erection of bridges in said county; which was read the first time.

On motion of Mr. Torrey, the rule was suspended and the bill read a second time by title.

On the further motion of Mr. Torrey, the rule was further suspended, the bill considered as engrossed, read a third time and passed.

Ordered, That the title thereof be as stated.

Mr. Thompson asked and obtained leave to introduce the following resolution:

Resolved, That the Doorkeeper be authorized to purchase two dozen chairs for the use of the Senate chamber.

Which was read, and, on motion of Mr. Thompson, was adopted.

The Senate proceeded to the consideration of the orders of the day:

A bill to be entitled an act to provide for the sale of the five hundred thousand acres of land donated to the State of Mississippi, by the Congress of the United States, for the purpose of internal improvement, and to repeal an act, with the same title, approved February 23d, 1848, was taken up. The Senate resolved itself into committee of the whole on said bill, Mr. Catchings in the chair; and, after some time spent therein, the committee rose, and Mr. Catchings reported said bill back to the Senate without amendment, and recommended that the same be laid on the table, and that two hundred copies thereof be printed for the use of the Senate.

On motion of Mr. Catchings, the report was received and agreed to.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to-wit:

MR. PRESIDENT—The House of Representatives have passed bills of the following titles:

A bill to be entitled an act for changing the time of holding the probate court of Coahoma county, and for other purposes;

A bill to be entitled an act to change the time of holding the probate court of Jasper county;

A bill to be entitled an act for the relief of Sarah Chadwick, of Jefferson county.

The Senate again resumed the consideration of the orders of the day:

A bill to be entitled an act to incorporate the Holmes county manufacturing company, was read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to amend the levee law of Washington county, was read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act for the relief of E. C. Egliston, was read the second time.

On motion of Mr. Cannon, said bill was ordered to be engrossed for a third reading on to-morrow.

A bill to be entitled an act to change the time of holding the probate court of Covington county, was read the third time and passed.

Ordered, that the title thereof be as stated.

A bill to be entitled an act to prevent the sale of ardent spirits, in certain cases, was read the third time.

On motion of Mr. Drane, said bill was referred to a select committee of three.

Messrs. Ramsay, Drane and Alcorn were appointed said committee.

The following message was received from his Excellency the Governor, through his Private Secretary:

TO THE SENATE:

I am constrained to return to the Senate, without my approval, a bill to be entitled "An act for the relief of the heirs and representatives of John T. Johnston, deceased." The preamble to the bill states that Hellen S. Johnston, a minor, is one of the heirs at law of John T. Johnston, deceased, who died, seized of a large real estate in this State; and the bill purports to invest Margaret L. Johnston, the mother and guardian of the minor, with full and absolute power to compromise away and dispose of the vested rights of the minor, at her will and pleasure, without the intervention of a court of probate, and without any binding security from the mother for the faithful discharge of her trust. While I concede that the legislative power can make all needful rules for the sale, exchange, or investment of the property of infants, the act of doing so is the exercise of a judicial power, which the constitution has wisely given to another department of the government, and by the express and emphatic injunction of the second article of the constitution, has withheld from the legislature. The eighteenth section of article ten of the constitution, regards such matters as judicial, by

conferring upon the court of probate jurisdiction "in all matters testamentary and of administration in orphan business," &c.

I therefore respectfully return the bill to the Senate, with my objections:

1st. That the bill is unconstitutional.

2d. That it would divest vested rights in property by an *ex parte* proceeding.

JOHN A. QUITMAN.

EXECUTIVE CHAMBER,
Jackson, January 18, 1850.

Which was read, and, on motion of Mr. Bell, said message, and the accompanying bill, was laid on the table.

The President presented to the Senate a memorial to the State Legislatures of the United States, by John W. King; which was ordered to be read, and thereupon the clerk commenced the reading of the same—when, on motion of Mr. Singleton, the further reading of said memorial was dispensed with.

On motion of Mr. White, said memorial was laid on the table.

On motion of Mr. Greer, the resolution of the House of Representatives authorizing the joint standing committee to send for persons and papers, was taken up and concurred in.

On motion of Mr. Thompson, the Senate adjourned until to-morrow morning, at 10 o'clock.

SATURDAY, JANUARY 19, 1850.

The Senate met pursuant to adjournment. The journal of yesterday was read.

On motion of Mr. Drane, the reading of the report of the Committee on State and Federal Relations, as copied into the journal, was dispensed with.

Mr. Guion presented the claims of William Coalson; which, on motion of Mr. Guion, was referred to the Committee on Claims.

Mr. Ramsay, from a select Committee, made the following report:

MR. PRESIDENT—The select committee to whom was referred a bill to be entitled an act to prevent the sale of ardent spirits, in certain cases, have had the same under advisement, and have instructed me to report the same back to the Senate, with the following amendment, and recommend its passage, to wit:

In the third line of the first section, strike out the words "any manner or quantity," and insert the words, "less quantities than one gallon." Second: In section third, strike out the same words

when they occur, and insert like words as above. Third: Between section third and fourth, add the following section, viz:

"*Be it further enacted*, That any person who may fail or refuse to liquidate any fine imposed under the provisions of this act, shall, under the order of the court, be imprisoned in the county jail for a period of not less than twenty nor more than ninety days."

Mr. Ramsay moved that said report be received and agreed to.

Mr. Guion call for the division of the question.

The vote was then taken on the reception of the report, and decided in the affirmative.

The vote was next taken on agreeing to the report, which was decided in the affirmative.

On motion of Mr. Ramsay, the bill, as amended, was ordered to be engrossed for a third reading on Monday next.

Mr. Beene, from the committee on Engrossed Bills, made the following report, to wit:

Mr. President—The committee on Engrossed Bills have examined bills of the following titles, to wit;

A bill to bo entitled an act for the relief of E. C. Egliston;

A bill to be entitled an act to incorporate the town of Carthage, in Leake county;

A bill to be entitled an act to prevent injuries to the telegraph lines of this State;

A bill to be entitled an act to legalize the acts of the probate court of Perry county;

And have found the same correctly engrossed.

Mr. White asked and obtained leave to introduce a bill to be entitled an act to incorporate the Yazoo and Big Black Plank Road Company; which was read the first time.

On motion of Mr. White, the rule was suspended and the bill read a second time by title.

Said bill was referred to the Judiciary Committee.

Mr. Kennedy asked and obtained leave to introduce a bill to be entitled an act to repeal an act to establish, at the city of Jackson, a vaccine depot and agency for the State, with a view to the prevention of small pox; which was read the first time.

On motion of Mr. Kennedy, the rule was suspeded and the bill read a second time by title.

On motion of Mr. Guion, said bill was referred to a select committee of three.

Messrs. Guion, Kennedy and Thompson were appointed said committee.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

Mr. President—I am instructed to inform the Senate that the House of Representatives have given leave to the introduction of a bill to be entitled an act to provide for the extinguishment of the Planters' Bank bonds, and have referred said bill to a joint select

committee, consisting of fifteen on the part of the House of Representatives, and ——— on the part of the Senate; and have appointed as said committee, on the part of the House of Representatives, Messrs. Catchings, Adams, Starke, Barton, Neill, Cassidy, Henry, Webb, Young, Trussell, Noble, Arthur, Day, Stuart, of Marion, and Foote.

The House of Representatives have adopted the following joint resolution:

Resolved, (the Senate concurring,) That the fourteenth rule for the government of both Houses, so far as relates to the Joint Committee on Accounts, be, and the same is hereby, rescinded, and the following adopted instead thereof, viz: There shall be two joint committees on accounts, each to consist of five members on the part of the House, and three on the part of the Senate; one of said joint committees shall be designated by the Speaker to examine the offices of the Auditor of Public Accounts and State Commissioner, the other to examine the Treasurer's office; and have appointed as said committee, on the part of the House, to examine the Treasurer's office, Messrs. Wilcox, Aldridge, Lewis, Griffin, Jenkins; to examine the Auditor's office and the State Commissioner's office, Messrs. Hinds, Hughes, Barden, Marble and Regan, of Yazoo.

The House have passed a bill of the following title, viz:

A bill to be entitled an act for the relief of Richard M. Johnston, jr.;

In all of which I am instructed to ask the concurrence of the Senate.

Mr. Guion asked and obtained leave to introduce a bill to be entitled an act to amend the charter of the Commercial and Railroad Bank of Vicksburg; which was read the first time.

Mr. Singleton asked and obtained leave to introduce a bill to be entitled an act to regulate the interest on judgments and decrees, and for other purposes; which was read the first time.

On motion of Mr. Singleton, the rule was suspended and the bill read a second time by title.

On the further motion of Mr. Singleton, said bill was referred to the Judiciary Committee.

Mr. White asked and obtained leave to introduce a bill to be entitled an act to establish a system of common schools, &c.; which was read the first time.

On motion of Mr. White, the rule was suspended and the bill read a second time by title.

On the further motion of Mr. White, said bill was ordered to be engrossed for a third reading on Monday next.

The Senate then proceeded to the consideration of the order of the day;

A bill to be entitled an act for the relief of E. C. Egliston, was read the third time and passed.

Ordered, that the title thereof be as stated.

A bill to be entitled an act to incorporate the town of Carthage, in Leake county, was read the third time and passed.

Ordered, that the title thereof be as stated.

A bill to be entitled an act to prevent injuries to the telegraph lines in the State, and for other purposes, was read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to legalize the acts of the probate court of Perry county, was read the third time and passed.

Ordered, That the title thereof be as stated.

On motion of Mr. Guion, the message from the House of Representatives announcing the introduction of a bill into the House entitled an act to provide for the extinguishment of the Planters' Bank bonds, and the reference of said bill to a joint committee of fifteen on the part of the House, and ——— on the part of the Senate, was taken up and concurred in; and, on the further motion of Mr. Guion, the blank therein was filled with the number five.

Messrs. Guion, Cannon, Singleton, Greer and Davis were appointed said committee on the part of the House.

On motion of Mr. Kennedy, the resolutions of the House of Representatives appointing two joint committees on accounts, each to consist of five, on the part of the House, and three on the part of the Senate—one of said committees to be designated to examine the offices of the Auditor of Public Accounts and State Commissioner, and the other to examine the Treasurer's office, &c., was taken up and concurred in.

The President appointed, as the committee on the part of the Senate, under said resolution, to examine the Treasurer's office, Messrs. Torrey, Reynolds and McAfee; and, as the committee on the part of the Senate to examine the Auditor's office, Messrs. Kennedy, Stewart, Golladay, Sharkey and Hodges.

On motion of Mr. Guion, the Senate proceeded to the consideration of a bill reported in the House of Representatives, to be entitled an act for the relief of Richard M. Johnson, jr.; which was read the first time.

On motion of Mr. Guion, the rule was suspended and the bill read a second time by title.

On the further motion of Mr. Guion, the rule was further suspended, the bill read a third time and passed.

Ordered, That the title thereof be as stated.

Mr. White asked and obtained leave to introduce a bill to be entitled an act to amend an act to incorporate Deer Creek Railroad Company, approved February 11th, 1848; which was read the first time.

On motion of Mr. White, the rule was suspended and the bill read a second time by title.

On the further motion of Mr. White, said bill was ordered to be engrossed for a third reading on Monday next.

Mr. White asked and obtained leave to introduce a bill to be entitled an act to change the time of holding the probate court of Washington county, and for other purposes; which was read the first time.

On motion of Mr. White, the rule was suspended and the bill read a second time by title.

On the further motion of Mr. White, said bill was ordered to be engrossed for a third reading on Monday next.

On motion of Mr. White, the Senate adjourned until 10 o'clock Monday morning.

MONDAY, JANUARY 21, 1850.

The Senate met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Johnson.

The journal of Saturday was read.

The following message was received from his Excellency the Governor, through his private Secretary, Mr. McDonald, to-wit:

MR. PRESIDENT—I am instructed by his Excellency the Governor, to inform the Senate that he has this day approved and signed a bill of the following title, to-wit:

An act to make an appropriation for repairing and furnishing the executive mansion, and for other purposes.

Mr. Berry, from the standing committee on Enrolled Bills, made the following report, to-wit:

MR. PRESIDENT—The joint standing committee on Enrolled Bills have this day examined bills of the following titles, viz:

An act for the relief of Richard M. Johnson, jr.;

An act to incorporate the Holmes county manufacturing company;

An act to change the time of holding the Probate court of Jasper county;

An act to change the time of holding the Probate court of Coahoma county, and for other purposes;

An act for the benefit of Sarah Chadwick of Jefferson county;

And have found the same correctly engrossed.

They have also presented to his Excellency the Governor, for his approval and signature, a bill of the following title, to-wit:

An act to make an appropriation to repair and furnish the executive mansion, and for other purposes.

Mr. Guion presented the memorial of D. N. Barrows and

others of the city of Jackson; which was read, and on motion of Mr. Guion, referred to the committee on Education.

Mr. Tait asked and obtained leave to introduce a bill to be entitled an act to incorporate the Desoto county manufacturing company; which was read the first time.

On motion of Mr. Tait, the rule was suspended, and the bill read a second time by title.

On the further motion of Mr. Tait, said bill was ordered to be engrossed for a third reading on to-morrow.

Mr. Guion presented the petition of Sam Watts and others; which was read, and on motion of Mr. Guion, referred to the committee on Propositions and Grievances.

Mr. Hodges presented the petition of William Tullus and others, citizens of Smith county; which was read, and on motion of Mr. Hodges, referred to a select committee of three.

Messrs. Hodges, Stewart and Hughes, were appointed said committee.

Mr. Guion, from the committee on the Judiciary, made the following report, to-wit:

Mr. President—The committee on the Judiciary, to whom was referred a bill to be entitled an act to incorporate the Yazoo and Big Black plank road, have had the same under consideration, and instructed me to report the same without amendment; which was read, and on motion of Mr. Guion, was received and agreed to.

Mr. Guion, from the committee on the Judiciary, made the following report, to-wit:

Mr President—The committee on the Judiciary, to whom was referred a bill to be entitled an act to amend the constitution of the State of Mississippi, have had the same under consideration, and instructed me to report the same without amendment; which was read, and on motion of Mr. Guion, was received and agreed to.

Mr. Guion, from the committee on the Judiciary, made the following report, to-wit:

Mr. President—The committee on the Judiciary, to whom was referred a bill to be entitled an act to incorporate the Columbus Insurance Company, have had the same under consideration, and have instructed me to report the same without amendment; which was read, and on motion of Mr. Guion, received and agreed to.

Mr. Guion, from the committee on the Judiciary, made the following report, to-wit:

Mr. President—The standing committee on the Judiciary, to whom was referred a bill to be entitled an act to amend an act entitled an act concerning divorce and alimony, passed June 15, 1822, have had the same under consideration, and have instructed

me to report the same without amendment; which was read, and on motion of Mr. Guion, received and agreed to.

Mr. Brooke, from the committee on the Judiciary, made the following report, to-wit:

Mr. President—The Judiciary committee, to whom was referred a bill to amend the law of evidence, herewith report the same back without amendment, and recommend the passage thereof; which was read, and on motion of Mr. Brooke, received and agreed to.

Mr. Brooke, from the committee on the Judiciary, made the following report, to-wit:

Mr. President—The Judiciary committee, to whom was referred a bill proposing to change the constitution of the State of Mississippi so as to abolish the courts of Chancery, report the same back for the consideration of the Senate; which was read, and on motion of Mr. Brooke, received and agreed to.

Mr. White asked and obtained leave to introduce a bill to be entitled an act to provide for the levying of the Mississippi river in the county of Bolivar; which was read the first time.

On motion of Mr. White, the rule was suspended, and the bill read a second time by title.

On further motion of Mr. White, said bill was referred to a select committee of three. Messrs. White, Tait and Torrey were appointed said committee.

Mr. White asked and obtained leave to introduce a bill to be entitled an act for the benefit of Mary Davis, widow of John R. Davis, deceased; which was read the first time.

On motion of Mr. White, the rule was suspended, and the bill read a second time by title.

On the further motion of Mr. White, said bill was referred to the committee on Propositions and Grievances.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to-wit:

Mr. President—The House of Representatives have given leave to the introduction of bills of the following titles:

A bill to be entitled an act repealing that portion of an act to reduce the expenses of the government of the State of Mississippi, approved February 14, 1842, which provides that tallis jurors shall not receive any compensation;

A bill to be entitled an act to prevent the estate, real and personal, of Joseph Garillo, deceased, late of Warren county, Mississippi, from escheating to the State.

The Speaker of the House of Representatives has signed the following bills, viz:

An act for the relief of Richard M. Johnson, jr.;

An act to change the time of holding the Probate court of Coahoma county, and for other purposes;

An act to change the time of holding the Probate court of Jasper county;

An act to incorporate the Holmes county Manufacturing Company;

An act for the benefit of Sarah Chadwick of Jefferson county; which I am instrueted to present to the Senate for the signature of the President.

The President signed the bills therein named.

Mr. White asked and obtained leave to introduce a bill to be entitled an act to amend an act for the relief of John Patterson, approved January 22, 1848; which was read the first time.

On motion of Mr. White, the rule was suspended, and the bill read a second time by title.

On the further motion of Mr. White, said bill was referred to the committee on Propositions and Grievances.

Mr. White asked and obtained leave to introduce a bill to be entitled an act to provide for the transcribing of certain records in Bolivar county; which was read the first time.

On motion of Mr. White, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. White, the rule was further suspended, the bill considered as engrossed, read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Beene, from the standing committee on Engrossed bills, made the following report, to-wit:

Mr. President—The committee on Engrossed Bills have examined bills of the following titles, to-wit:

A bill to be entitled an act to prevent the sale of ardent spirits in certain cases;

A bill to be entitled an act to establish a system of common schools in Yazoo county;

A bill to be entitled an act to amend an act to incorporate the Deer creek railroad company, approved February 11, 1848;

A bill to be entitled an act to change the time of holding the Probate court of Washington county, and for other purposes; and have found the same correctly engrossed.

Mr. Stone, from the committee on the Judiciary, made the following report, viz:

Mr President—The committee on the Judiciary, to whom was referred the resolution instructing them to report a bill to provide for amending the constitution of this State, so that the elections to fill civil and political offices shall take place at different times, have had the same under consideration, and instructed me to report the following resolution, viz:

Resolution to amend the constitution of the State of Mississippi.

Be it resolved by the Legislature of the State of Mississippi,

that the following article be added to the constitution as an amendment thereto:

ELECTION—ARTICLE VIII.

Section 1. The Legislature, at a regular session thereof, in the year one thousand eight hundred and fifty-two, shall pass a law fixing the time of holding the election for Governor, Secretary of State, Auditor of Public Accounts, State Treasurer, members of the Legislature and representatives in Congress, which law shall provide that said election shall not be held at the time when other public officers are elected.

Sec. 2. That the Secretary of State shall give public notice of the foregoing amendment at least six months previous to the next general election, according to the provisions of the constitution.

Sec. 3. That it shall be the duty of the several officers holding the next gext general election, to ask the qualified voters, as they present their votes, whether they are for or against said amendment; and the several clerks shall make record thereof, as the answer may be, and the same shall be returned to the Secretary of State in the time and manner now prescribed by law; which was read.

On motion of Mr. Stone, said report was received and agreed to.

Mr. Stone, from the committee on the Judiciary, made the following report, viz:

MR. PRESIDENT—The committee on the Judiciary, to whom was referred an act entitled an act to authorise the judges of the Circuit court to grant writs of error and supersedeas in criminal cases, have had the same under consideration, and instructed me to report the bill back to the Senate with the following amendments, and recommend its passage, which amendments are as follows, viz: An act to authorise the judges of the Circuit courts of the State of Mississippi to grant writs of error and supersedeas in criminal cases.

Section 1. *Be it enated by the Legislature of the State of Mississippi*, That the judges of the Circuit courts be and are hereby authorised and required to grant writs of error and supersedeas in criminal cases as writs of right.

Section 2. *Be it further enacted*, That if the party applying for a writ of error and supersedeas is in custody, at the time of such application, said writ of error and supersedeas shall be granted without bond for security for costs.

Section 3. *Be it further enacted*, That this act shall be in force from and after its passage.

Which, was read and on motion of Mr. Stone, said report was received and agreed to.

Mr. Stone, from the committee on the Judiciary, made the following report, viz:

MR. PRESIDENT—The standing committee on the Judiciary, to whom was referred a resolution instructing said committee to enquire into the expediency of so amending the constitution as to in-

crease the jurisdiction of magistrates to two hundred dollars, have had the same under consideration, and instructed me to report, that legislation on the subject is inexpedient, and ask to be discharged; which was read.

Mr. Stone moved that the report be received and agreed to.

Mr. Berry called for a division of the question.

The vote was first taken on the reception of the report, which was decided in the affirmative.

Mr. Berry moved that the report be disagreed to; which was decided in the negative.

Mr. Berry called for the ayes and nays thereon, which are as follows, viz:

AYES—Messrs. Berry, Beene, Carter, Greer, Kennedy, Reynolds, Thompson and Tait—8.

NAYS—Mr. President, Messrs. Alcorn, Brooke, Bell, Catching, Cannon, Drane, Davis, Golladay, Gilleland, Guion, Hodges, Hughes, McDugald, McAfee, Pettus, Ramsay, Stone, Stewart, Torrey, Talliaferro and White—22.

So said report was agreed to.

Mr. Guion asked and obtained leave to introduce a bill to be entitled an act to incorporate the Lake Washington and Deer Creek Railroad Company, approved February 29, 1836, and an act entitled an act to amend an act entitled an act to incorporate the Lake Washington and Deer creek railroad and banking company, passed February, 29, 1839, approved February 16, 1838, approved 21, 1840; which was read the first time.

The Senate proceeded to the consideration of the orders of the day.

A bill to be entitled an act to prevent the sale of of ardent spirits in certain cases; was read the third time and lost.

Mr. Cannon called for the ayes and nays thereon, which are as follows:

AYES—Messrs. Alcorn, Brooke, Catchings, Carter, Drane, Davis, Kennedy, Pettus, Ramsay, Stone, Torrey, Thompson and Tait—13.

NAYS—Mr. President, Messrs. Bell, Berry, Beene, Cannon, Golladay, Gilleland, Greer, Guion, Hodges, Hughes, McDugald, McAfee, Reynolds, Stewart, Talliaferro and White—17.

A bill to be entitled an act to amend the charter of the Commercial and Railroad Bank of Vicksburg, was read the second time.

On motion of Mr. Guion, said bill was ordered to be engrossed for a third reading on to-morrow.

A bill to be entitled an act to establish a system of common schools in Yazoo county, was read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to amend an act to incorporate the Deer creek railroad company, approved Feb'y. 11, 1848, was read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to change the time of holding the Probate court of Washington county and for other purposes, was read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Alcorn called from the table a bill to be entitled an act to provide for the sale of the 500,000 acres of land donated to the State of Mississippi, by the Congress of the United States, for purposes of internal improvement, and to repeal an act with the same title, approved February 23, 1848.

On motion of Mr. Alcorn, said bill was committed to a committee of the whole house, and made the special order of the day for Wednesday next, at 11 o'clock, A.M.

On motion of Mr. Stewart, a bill to be entitled an act to amend an act entitled an act concerning divorce and alimony, passed June 15th, 1822, was called up and read the second time.

On motion of Mr. Stewart, the rule was suspended, the bill considered as engrossed, read the third time and passed.

Ordered, That the title thereof be as stated.

On motion of Mr. Cannon, a bill to be entitled an act to incorporate the Columbus Mutual Insurance Company, was called up and read the third time.

On motion of Mr. Cannon, said bill was committed to a committee of the whole house, and made the special order of the day for to-morrow, at 10 o'clock, A. M.

Mr. Berry, from the committee on Enrolled Bills, made the following report, to-wit:

MR. PRESIDENT—The joint committee on Enrolled Bills have this day presented to his Excellency the Governor, for his approval and signature, bills of the following titles, viz:

An act for the relief of Richard M. Johnson, jr.;

An act to change the time of holding the Probate court of Coahoma county, and for other purposes;

An act to incorporate the Holmes county manufacturing company;

An act to change the time of holding the Probate court of Jasper county;

An act for the benefit of Sarah Chadwick of Jefferson county.

On motion of Mr. Brooke, a bill to be entitled an act to amend the law of evidence, was called up and read the second time.

On motion of Mr. Brooke, said bill was ordered to be engrossed and made the special order of the day for a quarter after 11 o'clock on to-morrow.

Mr. White offered the following resolution, to-wit:

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of bringing in a bill authorising parties litigant in courts of law to take depositions of witnesses within

the State of Mississippi, and residing without the court in which the suit is pending;

Which was read, and on motion of Mr. White, was adopted.

Mr. Catching asked and obtained leaved leave to introduce a bill to be entitled an act to attach the county of Simpson to the Southern District Chancery court; which was read the first time.

On motion of Mr. Catching, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Catching, the rule was further suspended, the bill considered as engrossed, read the third time and passed.

Ordered, That the title thereof be as stated.

On motion of Mr. Davis, a bill to be entitled an act to authorise the judges of the Circuit courts of the State of Mississippi to grant writs of error and supersedeas in criminal cases, was taken up, and read the second time.

Mr. Davis moved that the rule be suspended, the bill considered as engrossed, read a third time, and put upon its passage.

On motion of Mr. Guion, said bill was recommitted to the committee on the Judiciary.

On motion of Mr. Kennedy, a bill to be entitled an act to incorporate the Yazoo and Big Black Plank Road, was called up and read the third time and passed.

Ordered, That the title thereof be as stated.

On motion of Mr. Guion, the Senate adjourned until to-morrow morning, 10 o'clock.

TUESDAY, JANUARY 22, 1850.

The Senate met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Stiteler.

The journal of yesterday was read.

Mr. Guion presented the claim of J. Wilson; which, on motion of Mr. Guion, was referred to the committee on Claims.

Mr. Torrey presented the petition of James H. Maury; which on motion of Mr. Torrey, was referred to the committee on Claims.

Mr. Beene, from the committee on Engrossed Bills, made the following report, to-wit:

MR. PRESIDENT—The committee on Engrossed Bills, have examined bills of the following titles, to-wit:

A bill to be entitled, an act to incorporate the Desoto County Manufacturing Company.

A bill to be entitled, an act to amend the charter of the Commercial and Railroad Bank of Vicksburg.

A bill to be entitled, an act to amend the law of evidence; and have found the same correctly engrossed.

Mr. Brooke, from a select committee, made the following report, to-wit:

Mr. President—The select committee to whom was referred the memorial of sundry citizens of Carroll connty, praying that a portion of said county be annexed to the county of Holmes, have had the same under consideration, and have instructed me to report the accompanying bill, and recommend its passage; which said bill, entitled, an act to provide for taking the sense of the people of Carroll county, on the question of annexing a portion of said county to the county of Holmes, was read the first time.

On motion of Mr. Brooke, the report was received and agreed to.

Mr. White, from a select committee, made the following report, to-wit:

Mr. President—The select committee to whom was referred a bill, to be entitled, an act for the levying the Mississippi river, in the county of Bolivar, have had the same under their consideration, and have instructed me to report the bill without amendment, and recommend its passage; which was read, and, on motion of Mr. White, the report was received and agreed to; and the bill thereupon reported, was read the third time and passed.

Ordered, That the title thereof be as stated.

On motion of Mr. Brooke, a bill to be entitled, an act to provide for taking the sense of the people of Carroll county, on the question of annexing a portion of said county to the county of Holmes, was taken up, and read the second time by title.

On the further motion of Mr. Brooke, the rule was suspended, the bill considered as engrossed, read the third time and passed.

Ordered, That the title thereof be as stated.

The Senate proceeded to consider the orders of the day, and resolved itself into committee of the whole, on a bill to be entitled, an act to incorporate the Columbus Mutual Insurance Company; Mr. Greer in the Chair; and after some time spent therein, the committee rose, and Mr. Greer reported said bill back to the Senate, with the following amendment, viz:

Amend section 1st, by striking out "ever," and insert "twenty years;" and amend first section by inserting after "what kind and nature soever," not exceeding "50,000 dollars in value."

On motion of Mr. Greer, the report was received and agreed to.

On motion of Mr. Cannon, the rule was suspended, the amendments considered as engrossed with the bill, the bill read the third time as amended and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act to amend the law of evidence, was read a third time and passed.

Mr. Guion called for the ayes and nays thereon, which are as follows, to-wit:

AYES—Mr. President, Messrs. Brooke, Catching, Cannon, Drane, Davis, Gilleland, Guion, Hughes, McAfee, Ramsay, Stone, Stewart, Torrey, Tait, and White—16.

NAYS—Messrs. Alcorn, Bell, Berry, Beene, Carter, Golladay, Guion, Hodges, Kennedy, McDugald, Pettus, Reynolds, Talliaferro, and Thompson—14.

Ordered, That the title thereof be as stated.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to-wit:

MR. PRESIDENT—The House of Representatives have passed a bill to be entitled, an act to change the time of holding the Vice Chancery Court for the southern district of Mississippi; in which I am instructed to desire the concurrence of the Senate.

The Senate again resumed the consideration of the orders of the day.

A bill to be entitled, an act to amend the charter of the Commercial and Railroad Bank of Vicksburg; was read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act to incorporate the Desoto County Manufacturing Company, was read a third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act proposing an amendment to the constitution of the State of Mississippi, was read the first time.

On motion of Mr. Pettus, said bill was laid on the table, and 200 copies thereof ordered to be printed for the use of the Senate and House of Representatives.

A bill to be entitled, an act to amend the constitution of the State of Mississippi, was read the first time and passed to a second reading.

The ayes and nays being ordered thereon, they are as follows, to-wit:

AYES—Messrs. Alcorn, Brooke, Bell, Berry, Beene, Cannon, Carter, Drane, Golladay, Gilleland, Greer, Guion, Hodges, Hughes, Kennedy, McDugald, McAfee, Pettus, Ramsay, Reynolds, Stone, Stewart, Torrey, Talliaforro, and Tait—25.

NAYS—Mr. President, Messrs. Catchings, Davis, Thompson, and White—5.

A resolution to amend the constitution of the State of Mississippi, was read the first time.

On motion of Mr. Guion, said resolution was committed to a committee of the whole House, and made the special order of the day for to-morrow.

A bill to be entitled, an act to amend an act entitled, an act to amend an act, entitled, an act to incorporate the Lake Washington and Deer Creek Railroad Company, approved February 29, 1836,

and an act entitled, an act to amend an act entitled, an act to incorporate the Lake Washington and Deer creek railroad and banking company, passed February 29, 1839; approved February 16, 1848—approved February 21, 1840; was read the second time.

On motion of Mr. Guion, said bill was ordered to be engrossed, and made the order of the day for to-morrow.

Mr. Greer asked and obtained leave, to introduce a bill, to be entitled, an act to take the sense of the people of the State of Mississippi, on the propriety of calling a convention to amend the constitution of the State; which was read the first time.

On motion of Mr. Alcorn, the Senate adjourned till to-morrow morning, at 10 o'clock.

WEDNESDAY, JANUARY 23, 1850.

The Senate met pursuant to adjournment; and was opened with prayer by the Rev. Mr. Russell.

The journal of yesterday was read.

Mr. Berry asked and obtained leave, to introduce a bill, to be entitled, an act to provide for the education of poor children in this State; which was read the first time.

On motion of Mr. Berry, the rule was suspended, and the bill read a second time by title.

On the further motion of Mr. Berry, said bill was referred to the committee on Education.

Mr. Catching presented the petition of Daniel McLaurin and others, citizens of Copiah county, which was read; and on motion of Mr. Catching, referred to the committee on Propositions and Grievances.

Mr. Catching presented the memorial of Thomas Wheeler, treasurer, &c., of Copiah county, which was read; and on motion of Mr. Catching, said memorial was referred tothe committee on Propositions and Grievances.

Mr. Singleton presented the petition of D. W. Haley and others, citizens of Madison county, which was read; and on motion of Mr. Singleton, referred to the committee on Propositions and Grievances.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to-wit:

MR. PRESIDENT—The House of Representatives have given leave to the introduction of bills of the following titles:

A bill to be entitled, an act to repeal the law in relation to sub-

scribing witnesses to wills, who are legatees or devisees, and for other purposes;

A bill to be entitled, an act to authorize married women to dispose of their separate estate;

A bill to be entitled, an act to authorize guardians to resign their trusts;

A bill to be entitled, an act for the relief of tax collectors;

A bill to be entitled, an act to amend the revenue law, and for other purposes;

A bill to be entitled, an act in relation to executions emanating from justices' courts, to be transferred to any county in the State;

A bill to be entitled, an act to amend an act, reducing the fees of certain officers therein named, approved Feb. 10, 1844, so far as the same relates to the county of Claiborne;

A bill to be entitled, an act to legalize the sale of certain lands made by Rowland B. Crosby, president of the board of police of Clarke county, to Orange McCarty, of said county, in the year 1837;

A bill to be entitled, an act to amend the attachment laws of this State;

A bill to be entitled, an act to amend the 116th section of an act, approved June 28, 1822;

A bill to be entitled, an act to establish a new county in this State, to be called the county of Quitman;

A bill to be entitled, an act to amend the several laws of this State in relation to common schools, as far as relates to Chickasaw county;

A bill to be entitled, an act to define the powers of the probate court, in certain cases;

A bill to be entitled, an act to reduce the taxes of this State.

A bill to be entitled, an act for the mutual benefit of attorneys and clients;

A bill to be entitled, an act vesting in the probate courts of this State, the jurisdiction heretofore vested in county courts, on the subject of bastardy, and for other purposes;

A bill to be entitled, an act to authorize Richard Pipkins to hawk and peddle without license, in the counties of Green and Perry;

A bill to be entitled, an act to provide for the preservation of newspapers, and for other purposes;

A bill to be entitled, an act to require the attorney general to attend to certain cases therein named;

A bill to be entitled, an act to authorize the several clerks of the circuit courts to make a full and complete record of all final judgments unrecorded, and to prepare indexes to the minute books of said courts;

A bill to be entitled, an act to authorize executors and admin-

istrators to take the probates of certain claims against the estates of their decedents, and for other purposes;

A bill to be entitled, an act to change the time of holding the circuit court in the counties of Harrison and Hancock;

A bill to be entitled, an act to incorporate the Brandon and Mexican Gulf Railroad Company, and for other purposes;

A bill to be entitled, an act to amend the attachment laws of the State;

A bill to be entitled, an act to allow the defendant's counsel, in criminal cases, of this State, the right of opening and closing the argument;

A bill to be entitled, an act to prevent the sale of family libraries in this State;

A bill to be entitled, an act to authorize the boards of police in the several counties in this State, to assign hands to work on navigable streams;

A bill to be entitled, an act to legalize the sale of the 16th sections in the county of Jones, and for other purposes;

A bill to be entitled, an act to amend the law in relation to executions, writs of attachments, and other processes;

A bill to be entitled, an act to provide for cases when no executor or administrator will qualify under the last will and testament, and undertake to carry into effect;

A bill to be entitled, an act to prevent malicious prosecutions;

A bill to be entitled, an act regulating jury tax;

A bill to be entitled, an act to authorize the respective clerks of the vice chancery court of the Northern District of the State of Mississippi to perform all acts appertaining to the office of clerks until their successors in office shall be duly qualified;

A bill to be entitled, an act to repeal an act entitled, an act to remove the seat of justice in the county of Monroe, from the town of Athens, and permanently locate it in the town of Aberdeen;

A bill to be entitled, an act to repeal an act, entitled, an act for the benefit of Aberdeen Female Academy;

A bill to be entitled, an act to dispense with demand and notice in certain cases;

A bill to be entitled, an act to prevent the sacrifice of property sold under an execution;

A bill to be entitled, an act to incorporate the Mississippi Mutual Insurance Company;

A bill to be entitled, an act to amend the several laws for the protection and preservation of the rights of married women;

A bill to be entitled, an act to repeal all laws now in force, authorizing imprisonment for debt;

A bill to be entitled, an act to amend the law in relation to garnishments on judgments and decrees;

A bill to be entitled, an act to amend an act, entitled, an act to amend an act, entitled an act to regulate the practice and the pro-

ceedings in the action of ejectment, and for other purposes, approved March 5, 1846;

A bill to be entitled, an act to amend an act entitled, an act to increase the compensation of the district attorneys of this State, approved March 4, 1848;

A bill to be entitled, an act to amend an act entitled, an act to change the mode of collecting revenue of hawkers and pedlars in this State, approved Feb. 28, 1846;

The House of Representatives have passed bills with the following titles:

A bill to be entitled, an act to change the time of holding the police court of Amite county;

A bill to be entitled, an act to reduce the per diem pay of the board of police of Atalla county;

A bill to be entitled, an act to legalize the sale of the 16th sections of lands sold in Amite county, and for other purposes;

A bill to be entitled, an act to revive an act, entitled, an act to incorporate the town of Quitman, in the county of Clarke, approved Feb. 23, 1848;

A bill to be entitled, an act to change the time of holding the regular terms of the police court in Clarke county, and for other purposes;

A bill to be entitled, an act in relation to outstanding claims against the county of Hinds;

A bill to be entitled, an act for the benefit of Joseph Daniel Stokes, of Jefferson county;

A bill to be entitled, an act to declare Newsoms Bayou a navigable stream;

A bill to be entitled, an act to change the name of Malisa Ann Brinkley to Malisa Ann Coward;

A bill to be entitled, an act to declare Old Fort Bayou, a navigable stream;

A bill to be entitled, an act for the relief of Edward F. Bennett of Madison county; in which I am instructed to desire the concurrence of the Senate.

Mr. Carter asked and ebtained leave, to offer the following resolution, to-wit:

Resolved, That a special joint committee of three on the part of the Senate, and blank on the part of the House, be appointed to inquire into the expediency of arranging and drafting some plan to lease the penitentiary for the next two years, and to report the same at as early a day as possible; which was read the first time.

On motion of Mr. Carter, the rule was suspended, and the resolution read a second time and adopted.

Messrs. Carter, Guion, and Alcorn were appointed said committee, on the part of the Senate.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to-wit:

MR. PRESIDENT—The House of Representatives have passed a bill with following title:

A bill to be entitled, an act to extend the time of holding the probate court of Noxubee county; in which I am instructed to desire the concurrence of the Senate.

The following message was received from his Excellency, the Governor, through his private secretary, Mr. McDonald:

MR. PRESIDENT—I am instructed by his Excellency, the Governor, to inform the Senate, that he has approved and signed bills of the following titles, to-wit:

An act to change the time of holding the probate court of Coahoma county, and for other purposes.

Also, an act to change the time of holding the probate court of Jasper county.

Also, an act for the benefit of Sarah Chadwick, of Jefferson county.

Also, an act to incorporate the Holmes County Manufacturing Company.

The Senate proceeded to the consideration of the orders of the day, and resolved itself into committee of the whole on a bill to be entitled, an act to provide for the sale of the 500,000 acres of land donated to the State of Mississtppi by the Congress of the United States, for the purposes of internal improvement, and to repeal an act with the same title, approved February 23d, 1848, Mr. Berry in the Chair; and after some time spent therein, the committee rose, and Mr. Berry reported said bill back without amendment, and recommended that the Senate take no action thereon at present, and asked leave to set again at some future day.

On motion of Mr. Berry, the report was received and agreed to.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to-wit:

MR. PRESIDENT—The House of Representatives have passed a bill with the following title:

A bill to be entitled, an act for the relief of the heirs of Daniel Fore and John Collins, and for other purposes;

A bill to be entitled, an act to reduce the number of deputy sheriffs in Tippah county;

A bill to be entitled, an act for the benefit of Loretta Jane Hays, of Sunflower county;

A bill to be entitled, an act to repeal part of 2d section of an act passed 5th March, 1846, declaring Quiver river or Tompkin's Bayou, and the bayou known as Dry Bayou, navigable streams; in which I am instructed to desire the concurrence of the Senate.

The Senate again resumed the consideration of the orders of the day, and resolved itself into committee of the whole on a resolution to amend the constitution of the State of Mississippi, Mr. White in the Chair; and after some time spent therein, the

committee rose, and Mr. White reported back to the Senate said resolution without amendment, and recommend that the same be re-committed to the committee on the Judiciary.

On motion of Mr. White, the report was received and agreed to.

On motion of Mr. Berry, said resolution was re-committed to the committee on the Judiciary.

Mr. Beene, from the committee on engrossed bills, made the following, report, to-wit:

Mr. President—The committee on engrossed bills, examined a bill of the following title, to-wit:

A bill to be entitled, an act to amend an act, entitled, an act to amend an act, entitled, an act to incorporate the Lake Washington and Deer creek railroad company, approved February 26, 1836; and an act entitled, an act to amend an act, entitled, an act to incorporate the Lake Washington and Deer creek railroad company, passed February 26th, 1836—approved Feb'y 16th, 1838—approved Feb. 21, 1840; and have found the same correctly engrossed.

The Senate again resumed the consideration of the orders of the day.

A bill to be entitled, an act to amend an act, entitled an act, to amend an act entitled an act to incorporate the Lake Washington and Deer Creek Railroad Company, approved February 26, 1836; and an act entitled, an act to amend an act, entitled, an act to incorporate the Lake Washington and Deer Creek Railroad and Banking Company, passed February 26, 1836, approved February 16th, 1836, approved February 21, 1840; was read a third time and lost.

Mr. Guion called for the ayes and nays thereon, which was as follows, to-wit:

Ayes.—Messrs. Alcorn, Brooke, Carter, Gilleland, Guion, Hodges, Pettus, Reynolds, Stewart, and Tait—10.

Nays.—Mr. President, Messrs. Bell, Berry, Beene, Catchings, Cannon, Drane, Davis, Golladay, Greer, Hughes, Kennedy, McAfee, Ramsay, Singleton, Stone, Torrey, Talliaferro, Thompson, and White—20.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to-wit:

Mr. President—The House of Representatives have passed a bill of the following title, to-wit:

A bill to be entitled, an act to keep open the bayous in Tunica county; in which I am instructed to desire the concurrence of the Senate.

The House of Representatives have concurred in the following joint resolution of the Senate:

Resolved, the House concurring, that a special joint committee of three on the part of the Senate, and — on the part of the House be appointed to inquire into the expediency of arranging and draft.

ing some plan to lease the penitentiary for the next two years, and report the same at as early a day as possible, and have filled the blank with the number five.

The Chair has appointed, as said committee on the part of the House, Messrs. Neill, Henry, Lewis, Farrar, and Suratt.

The Senate again resumed the consideration of the orders of the day.

A bill to be entitled, an act to amend the constitution of the State of Mississippi, was read the second time, and passed to its third reading.

The ayes and nays being ordered thereon, they are as follows, to-wit:

AYES—Messrs. Alcorn, Brooke, Bell, Berry, Beene, Cannon, Carter, Davis, Galloday, Gilleland, Guion, Hodges, Hughes, Kennedy, McAfee, Pettus, Ramsay, Reynolds, Singleton, Stone, Stewart, Torrey, Tait, and White—24.

NAYS—Mr. President, Messrs, Catchings, Drane, Greer, Talliaferro, and Thompson—6.

A bill to be entitled, an act to change the time of holding the vice chancery court for the southern district of Mississippi, was read the second time.

A bill to be entitled, an act to take the sense of the people of the State of Mississippi, on the propriety of calling a convention to amend the constitution of the State, was read the second time.

Mr. Pettus moved the indefinite postponement of said bill, which was lost.

Mr. Cannon called for the ayes and nays thereon, which are as follows, to-wit:

AYES—Messrs. Bell, Catchings, Carter, Davis, Guion, Hodges, McAfee, Pettus, Ramsay, Singleton, Stone, Stewart, Torrey, and White—14.

NAYS—Mr. President, Messrs Alcorn, Brooke, Berry, Beene, Cannon, Drane, Golladay, Gilleland, Greer, Hughes, Kennedy, Reynolds, Talliaferro, Thompson, and Tait—16.

Mr. Greer moved that said bill be laid on the table, and 150 copies be printed for the use of the Senate, and be made the special order of the day for Friday next.

Mr. Kennedy called for a division of the question.

The vote was first taken on the motion to print, which was lost.

Mr. Kennedy moved that said bill be engrossed and made the special order of the day for Monday next.

On motion of Mr. Pettus, said bill was made the special order of the day, in committee of the whole, for Friday next.

Mr. Drane asked and obtained leave, to introduce a bill to be intitled, an act to amend the school law of March the 4th, 1846, so far as the same relates to the county of Choctaw, which was read the first time.

On motion of Mr. Drane, the rule was suspended, and the bill read a second time by title.

On the further motion of Mr. Drane, the rule was further suspended, the bill considered as engrossed, read the third time and passed.

Ordered, That the title thereof be as stated.

On motion of Mr. Brooke, the Senate adjourned until to-morrow morning, 10 o'clock.

THURSDAY, JANUARY 24, 1850.

The Senate met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Henderson.

The journal of yesterday was read.

Mr. Singleton, from the standing committee on Propositions and Grievances, made the following report, to-wit:

MR. PRESIDENT—The standing committee on Propositions and Grievances, to whom was referred the petition of Spencer A. Bobo, praying the Legislature to pass an act authorizing the Auditor to issue his warrant upon the Treasurer of this State, for the sum of $1,500, expended, and improvements made upon a quarter section of the Chickasaw school lands, have had the same under consideration, and have instructed me to report to this honorable body, that in their opinion, the Legislature ought not to grant the prayer of the petitioners, and ask to be discharged from the further consideration of the subject; which was read.

And, on motion of Mr. Singleton, said report was received and agreed to.

Mr. Singleton, from the standing committee on Propositions and Grievances, made the following report, to-wit:

MR. PRESIDENT—The standing committee on Propositions and Grievances, to whom was referred the petition of James M. Bobo, a citizen of Coahoma county, praying the passage of a law authorizing him to enter a quarter section of the lands located as Chickasaw school lands, at $1 25 per acre, have duly considered the same, and have instructed me to make the following report, viz:

It is the opinion of the committee that it would be inexpedient for the Legislature to take any control over those lands further than to carry out the views of the Representatives of those counties immediately interested in them; that said lands have been donated to them for a specific object, and any legislative interference with them not sanctioned by the Chickasaw counties, would in their opinion be totally unauthorized; hence, they ask to be dis-

charged from the further consideration of said petition; which was read, and, on motion of Mr. Singleton, said report was received and agreed to.

Mr. Golladay presented the claim of A. J. Lowell; which, on motion of Mr. Golladay, was referred to the committee on Claims.

Mr. Brooke asked and obtained leave, to introduce a bill to be entitled, an act for the relief of James M. Wade, which was read the first time.

On motion of Mr. Brooke, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Brooke, said bill was referred to the committee on Claims.

Mr. Brooke asked and obtained leave to introduce a bill to be entitled, an act to enable the commissioners appointed by an act entitled an act to remove the county seat of Sunflower county, approved March 6, 1846, to settle their accounts as such commissioners, with the board of police of said connty, and for other purposes; which was read the first time.

On motion of Mr. Brooke, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Brooke, said bill was referred to a select committee of three.

Messrs. Brooke, White, and Kennedy, were appointed said committee.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to-wit:

Mr. President—The House of Representatives have given leave to the introduction of bills with the following titles:

A bill to be entitled, an act to encourage internal improvements.

A bill to be entitled, an act to appoint a State printer.

A bill to be entitled, an act to authorize the Treasurer of the State to issue his draft, &c.

A bill to be entitled, an act amendatory of the laws relative to divorce.

A bill to be entitled, an act to lessen the cost in criminal proceedings.

A bill to be entitled, an act to amend an act, to amend the laws now in force in this State, regulating proceedings against slaves charged with grand larceny, approved March 5, 1846.

A bill to be entitled, an act to amend the practice in the court of probate.

A bill to be entitled, an act to authorize the board of police of Newton county to increase the county tax.

A bill to be entitled, an act to refund to Micajah Brooks, certain moneys, paid by him to the tax collector of Noxubee county, as taxes for the year 1846 and 1847, on 540 acres of sect. 16 town. 16, range 17 east, in said county.

A bill to be entitled, an act regulating the rule of evidence as to notarial protests;

A bill to be entitled, an act to regulate the lien of judgments rendered by justices of the peace ;

A bill to be entitled, an act to relinquish to the University of the State of Mississippi, the distributive share apportioned to said State in the proceeds of the sales of public lands, under the act of Congress, of the 4th September, 1841, and to authorize the trustees of said university to receive or draw the same ;

A bill to be entitled, an act to reduce the rate of licenses in certain counties therein named ;

A bill to be entitled, an act to amend an act entitled, an act to change the mode of collecting reveuue of hawkers and pedlars, approved Feb. 28, 1846 ;

A bill to be entitled, an act to amend an act to incorporate the town of Hillsboro,' in Scott county, approved Feb. 12, 1848 ;

A bill to be entitled an act to take the sense of the people of the State, on this propriety of calling a convention to amend the Constitution of the State of Mississippi ;

A bill to be entitled, an act to dispose of certain books in the State Library ;

A bill to be entitled, an act to restrict the jurisdiction of the Sheriff of Tishemingo county, in certain cases therein mentioned ;

A bill to be entitled, an act to amend the Revenue Laws of this State ;

A bill to be entitled, an act for the benefit of the Sheriffs of Washington county ;

A bill to be entitled, an act to change the time of holding the Circuit Courts of the third judiclal district of this State, and for other purposes ;

A bill to be entitled, an act making it a felony to move mortgaged and other property from the State ;

A bill to be entitled, an act to regulate the proceedings of the Boards of Police, and for other purposes ;

A bill to be entitled, an act to make binding the contracts of married women, and for other purposes ;

A bill to be entitled, an act to establish a Common School Fund for the State of Mississippi ;

A bill to be entitled, an act to repeal the several laws of this State, for the assessment and collection of Taxes, and for other purposes ;

The House of Representatives have passed bills with the following titles :

A bill to be entitled, an act to change the names of Levy and Rebecca and Elvira Hosea, to that of Burnham ;

A bill to be entitled, an act declaring Abatuponbgue a navigable stream ;

A bill to be entitled, an act to incorporate the Board of Directors of Yazoo Classical Hall, in Yazoo City, Yazoo county;

A bill to be entitled, an act prescribing the mode of making payments into the Treasury of this State;

A bill to be entitled, an act for the relief of Daniel Alexander, a Revolutionary soldier; in which I am instructed to desire the concurrence of the Senate.

Mr. Greer asked and obtained leave to introduce a bill to be entitled, an act to amend an act, entitled, an act to establish a system of Common Schools, and for other purposs, approved March 4, 1848, which was read the first time.

On motion of Mr. Greer, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Greer, the rule was further suspended, the bill considered as engrossed, read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. White asked and obtained leave to introduce a bill to be entitled, an act to repeal an act to incorporate the Deer Creek Navigation Company, approved March 4, 1848, and for other purposes, which was read a first time.

On motion of Mr. White, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. White, the rule was further suspended, the bill be considered as engrossed, read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Greer asked and obtained leave to offer the following resolution, to-wit:

Resolved, That the Secretary of State be required to furnish the Senate with a statement of the vote cast in each county of the State, for and against the call of a convention, at the last November election, and whether said vote for and against the call of a convention was properly made, to his office by the different officers throughout the State, holding said election, and from counties, if any, no returns of the vote polled in said election was made; which was read, and, on motion of Mr. Greer, was adopted.

Mr. Hughes called for the consideration of a bill on the orders of the day, to be entitled, an act to extend the time of holding the Probate Court of Noxubee county, which was read the first time, and, on motion of Mr. Hughes, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Hughes, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to-wit:

Mr. President—The House of Representatives have passed a

Senate bill, to be entitled, an act to incorporate the Carroll County Manufacturing Company, and have made an amendment thereto; in which I am instructed to desire the concurrence of the Senate. And have passed bills with the following titles:

A bill to be entitled, an act repealing that portion of an act to reduce the expenses of the Government of the State of Mississippi, approved February 14th, 1842, which provides that Talis Jurors shall not receive any compensation;

A bill to be entitled, an act to prevent the estate, real and personal, of James Garillo, deceased, late of Warren county, Mississippi, from escheating to the State; in which I am instructed to desire the concurrence of the Senate.

On motion of Mr. Singleton, the message of his Excellency, the Governor, vetoing the bill entitled, an act for the relief of the heirs and representatives of John T. Johnson, deceased, was taken up and read.

The question was then had, "shall this bill pass, notwithstanding the Executive veto?" which was decided in the negative.

The ayes and nays thereon are as follows, to-wit:

AYES—Messrs. Brooke, Davis, Drane, Guion, Hodges, Hughes, Kennedy, Reynolds, Singleton, Stewart, Thompson, Tait, and White—13.

NAYS—Mr. President, Messrs. Bell, Berry, Beene, Catching, Cannon, Carter, Golladay, Gilleland, Greer, McDugald, McAfee, Pettus, Ramsay, Stone, Torrey, and Talliaferro—17.

Mr. Davis, from a select committee, made the following report, to-wit:

MR. PRESIDENT—The joint select committee, to whom was referred the memorial and accompanying papers of Col. Jefferson Davis, late commander of the First Regiment of Mississippi Rifles, during the war with Mexico, have had the same under consideration, and have unanimously instructed me to make the following report:

That in the estimation of this committee, we cannot do less, than recommend the payment of the loss, so fully set forth in the memorial, and sustained by the papers—say $2,950 26,—together with 8 per cent. interest per annum thereon, since January 1847—say, $727 74; which said loss, with interest, amounts in the aggregate, to the sum of $3,678; and desire to report a bill herewith for his relief, and recommend its passage.

E. M. DAVIS, Chairman.

On motion of Mr. Davis, the report was received and agreed to, and the bill therein reported, to be entitled, an act for the relief of Jefferson Davis, Colonel of the First Regiment of Mississippi Rifles, during the war with Mexico, was read the first time.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to-wit:

MR. PRESIDENT—The House of Representatives have passed Senate bills of the following titles, viz:

An act for the relief of James Gilman Anderson, and Augustus R. Anderson;

A bill to be entitled, an act to prevent injuries to the Telegraphic lines of this State;

A bill to be entitled, an act to enable the Board of Police of Jefferson county to levy a special tax, for the erection of bridges in said county;

A bill to be entitled, an act to change the time of holding the Probate Court of the county of Covington.

Mr. Cannon called from the table, the report of the joint select committee on State and Federal Relations, on the subject of slavery, &c., which was read the second time.

Mr. Cannon moved that the rule be suspended, the report be considered as engrossed, read a third time and put upon its passage.

On motion of Mr. Bell, the Senate resolved itself into committee of whole on said report, Mr. Pettus in the Chair; and after some time spent therein the committee rose, and Mr. Pettus reported progress, and asked leave to set again at 11 o'clock, A. M., on to-morrow.

On motion of Mr. Pettus, the report was received and agreed to.

On motion of Mr. Stone, the Senate adjourned until to-morrow morning, 10 o'clock.

FRIDAY, JANUARY 25, 1850.

The Senate met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Russell.

The journal of yesterday was read.

Mr. Guion presented the memorial of Martin H. Devereux; which, on motion of Mr. Guion, was referred to the Committee on Claims.

Mr. Guion presented the petttion of P. E. H. Lovelace; which, on motion of Mr. Guion, was referred to the committee on Internal Improvement.

Mr. Berry, from the Committee on Enrolled Bills, made the following report, to wit:

MR. PRESIDENT—The Joint Committee on Enrolled Bills have this day examined bills of the following titles, viz:

An act to prevent injuries to the telegraphic lines in this State;

An act to enable the board of police of Jefferson county to levy a special tax for the erection of bridges in said county;

An act to change the time of holding the probate court of the county of Covington;

An act for the relief of James Gilmore Anderson and Augusta Anderson;

An act to extend the time of holding the court of Noxubee county; and found the same correctly enrolled.

The President announced to the Senate that he had received the following communication from the Secretary of State, to wit:

OFFICE OF THE SECRETARY OF STATE,
Jackson, January 24, 1850.

Hon. D. LIPSCOMB,
President of the Senate:

SIR—In pursuance of a resolution of the Senate this day adopted, requiring the Secretary of State to furnish the Senate with a statement of the votes cast in each county of the State for and against the call of convention, etc., I have the honor to submit the following statement of the returns, made to this office by the returning officers, both for and against a convention, as given at a general election held on the fifth and sixth days of November, A. D. 1849, and have made some remarks thereon, as follows:

A TABLE, showing the number of votes cast for and against a Convention.

Counties.	For Convention.	Against Convention.	Remarks.
Adams	95	731	708 votes for members to the State Legislature.
Amite	5	707	No vote for members.
Attala	514	639	" " "
Bolivar			No returns received.
Copiah			" "
Carroll	949	554	No vote for members.
Chickasaw	671	198	" "
Choctaw	1,058	128	" "
Claiborne	127	604	" "
Coahoma	30	300	" "
Covington	7	388	" "
Clarke	29	373	" "
De Soto	1,385	485	" "
Franklin	19	422	475 votes cast for members to the State Legislature.
Greene	8	228	No vote for members of the Legislature.
Harrison	46	104	" " " "
Holmes	340	395	" " " "
Hinds	323	1,478	" " " "
Hancock	8	184	" " " "
Issaquena	29	162	" " " "
Itawamba	918	577	" " " "

Jasper	45	653	No vote for members of the Legislature.
Jefferson	69	437	" " " "
Jackson	101	201	" " " "
Jones	6	242	" " " "
Kemper	182	899	" " " "
Lafayette	600	513	" " " "
Leake	109	317	" " " "
Lauderdale	206	772	" " " "
Lawrence	12	677	" " " "
Lowndes	595	176	" " " "
Madison	143	599	" " " "
Monroe			No returns for Convention.
Marshall	2,178	557	No vote returned for members, &c.
Marion		265	" " "
Noxubee	402	266	" " "
Neshoba	60	403	" " "
Newton			No returns received for convention.
Oktibbeha	27	236	No votes returned for members, &c.
Perry	17	247	" " "
Pontotoc			No returns received for Convention.
Panola	849	157	No votes returned for members, &c.
Pike	6	724	" " "
Rankin	60	363	" " "
Scott	70	363	" " "
Sunflower	57	53	" " "
Simpson	6	468	" " "
Smith	30	334	" " "

A TABLE, showing the number of votes cast for and against a Convention—(Continued.)

Counties.	For Convention.	Against Convention.	Remarks.
Tunica	32	5	No votes returned for members, &c.
Tippah	1,951	663	" " "
Tishemingo	1,820	343	" " "
Tallahatchie	156	121	" " "
Winston	577	274	" " "
Wilkinson	60	540	" " "
Washington	15	98	" " "
Warren	227	747	" " "
Wayne		130	" " "
Yalobusha	876	267	" " "
Yazoo	99	890	" " "
Total	18,214	22,723	

The undersigned would further remark that all of the returns, as per above, were included in the general returns for State and county officers, with the following exceptions, viz: Claiborne, De Soto, Itawamba, Jones, Lauderdale, Leake, Perry, Pike, Scott, Tishemingo and Washington counties, from which separate seals and returns were received, for and against the calling of a Convention.

All of which is respectfully submitted:

SAMUEL STAMPS,
Secretary of State.

Which was read, and, on motion of Mr. Stone, was laid on the table.

The Senate proceeded to the consideration of the orders of the day:

A bill to be entitled an act to change the time of holding the Vice Chancery Court for the Southern District of Mississippi, was read the second time.

Mr. Ramsay offered the following amendment, to wit:

Amend section two—strike out the "twentieth of January," and insert "from and after its passage;" which was adopted.

On motion of Mr. Ramsay, the rule was suspended and the bill, as amended, read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to change the time of holding the police court of Amite county, was read the first time.

On motion of Mr. Davis, the rule was suspended and the bill read a second time by title.

On the further motion of Mr. Davis, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to reduce the per diem pay of the board of police of Attala county, was read the first time.

On motion of Mr. Gilleland, the rule was suspended and the bill read the second time by title.

On the further motion of Mr. Gilleland, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to legalize the sale of the sixteenth sections of land sold in Amite county, and for other purposes, was read the first time.

On motion of Mr. Davis, the rule was suspended and the bill read the second time by title.

A bill to be entitled an act to revive an act to incorporate the town of Quitman, in the county of Clarke, approved February 23d, 1848, was read the first time.

A bill to be entitled an act to change the time of holding the

regular terms of the police court in Clarke county, and for other purposes, was read the first time.

A bill to be entitled an act in relation to outstanding claims against the county of Hinds, was read the first time.

On motion of Mr. Guion, the rule was suspended and the bill read the second time by title.

On the further motion of Mr. Guion, the rule was further suspended, the bill read the third time and passed.

Ordered, that the title thereof be as stated.

A bill to be entitled an act for the relief of Joseph Daniel Stokes, of Jefferson county, was read the first time.

On motion of Mr. Torrey, the rule was suspended and the bill read the second time by title.

On the further motion of Mr. Torrey, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to declare Newson's bayou a navigable stream, was read the first time.

On motion of Mr. White, the rule was suspended and the bill read the second time by title.

On the further motion of Mr. White, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Alcorn asked and obtained leave to introduce a bill to be entitled an act to provide for the construction of a levee on the Mississippi river, for the protection and improvement of the State and school lands, was read the first time.

On motion of Mr. Alcorn, the rule was suspended and the bill read the second time by title.

On the further motion of Mr. Alcorn, said bill was referred to the committee on Internal Improvements.

The Senate again resumed the consideration of the orders of the day:

A bill to be entitled an act to change the name of Malisa Ann Brinkley to Melisa Ann Coward, was read the first time.

A bill to be entitled an act to delare "Old Foot Bayou" a navigable stream, was read the first time.

On motion of Mr. Ramsay, the rule was suspended and the bill read the second time by title.

On the further motion of Mr. Ramsay, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to-wit:

MR. PRESIDENT—The House of Representatives have passed bills with the following titles:

A bill to be entitled an act to reduce the costs of criminal proceedings;

A bill to be entitled an act amendatory of the laws relative to divorces; in which I am instructed to desired the concurrence of the Senate.

A sealed communication, marked "Executive session," was received from his Excellency, the Governor, through his Private Secretary, Mr. McDonald.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

Mr. President—I am instructed by the House of Representatives to inform the Senate that the House have concurred in an amendment made by the Senate to the House bill, entitled an act to change the time of holding the Vice Chancery Court for the Southern District of Mississippi.

Mr. Guion moved to take up the special orders of the day, and go into committee of the whole on the report of the committee on State and Federal Relations, on the slavery question, set for this hour.

Mr. Bell moved that said report be laid upon the table until Friday next.

The vote was first taken on the motion to go into committee of the whole on said report; which was decided in the affirmative.

So the Senate resolved itself into committee of the whole on said report, Mr. Pettus in the chair; and, after some time spent therein, the committee rose, and Mr. Pettus reported progress, and asked leave to sit again at 11 o'clock, A. M., on to-morrow.

On motion of Mr. Pettus, the report was received and agreed to.

On motion of Mr. Hodges, the Senate adjourned until to-morrow morning, 10 o'clock.

SATURDAY, January 26, 1850.

The Senate met pursuant to adjournment.

The journal of Saturday was read.

Mr. Berry, from the joint standing committee on Enrolled Bills, made the following report, viz:

Mr. President—The joint standing committee on Enrolled Bills have this day examined bills of the following titles to-wit:

An act to declare Fort Bayou a navigable stream;

An act to change the time of holding the Vice Chancery court for the Southern District of Mississippi;

An act in relation to outstanding claims against the county of Hinds;

An act for the benefit of Joseph Daniel Stokes of Jefferson county;

An act to change the time of holding the Probate court of Amite county;

An act to declare Newsom's Bayou a navigable stream;

And have found the same correctly enrolled.

Mr. Guion presented the memorial of Thomas, Freeland and J. Murdock; which was read, and on motion of Mr. Guion, was referred to the committee on Banks and Currency.

Mr. Golladay presented the petition of William Banton and others, of Yalobusha county; which was read, and on motion of Mr. Golladay, was referred to the committee on Propositions and Grievances.

Mr. Brooke, from a select committee, made the following report, to-wit:

Mr. President—The select committee, to whom was referred a bill to enable the commissioners appointed by an act, entitled an act to remove the county seat of Sunflower county, approved March 5th, 1846, to settle their accounts, as such commissioners, with the Board of Police of said county, and for other purposes, have had the same under consideration, and beg leave to report the same back without amendment, and recommend its passage.

On motion of Mr. Brooke, the report was received and agreed to; and the bill therein reported, to be entitled an act to enable the commissioners appointed by an act, entitled an act to remove the county seat of Sunflower county, approved March 5th, 1846, to settle their accounts, as such commissioners, with the Board of Police of said county, and for other purposes, was read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Greer offered the following resolution, to-wit:

Resolved, That 200 copies of the report of the Secretary of State of the vote cast for and against a Convention, at the general election in November last, be printed for the use of the Legislature; which was read, and the vote being taken thereon, was lost.

The following message was received from his Excellency the Governor, to-wit:

Executive Chamber,
Jackson, Jan. 25, 1850.

To the Senate:

In pursuance of the act entitled "an act to appoint a State Commissioner," approved Feb'y. 24, 1844, I respectfully ask the advice and consent of the Senate to the appointment of Robert Josselyn, of Marshall county, as State Commissioner.

J. A. QUITMAN.

Which was read.

On motion of Mr. Cannon, the Senate went into Executive session, with open doors, on said message; and on the further motion

of Mr. Cannon, the Senate advised and consented as asked in said message.

On motion of Mr. Guion, the Executive session rose.

Mr. Guion asked and obtained leave to introduce a bill to be entitled an act to regulate the terms and proceedings in the High Court of Errors and Appeals, and for other purposes; which was read the first time.

On motion of Mr. Guion, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Guion, said bill was referred to the committee on the Judiciary.

Mr. Brooke offered the following resolution, to-wit:

Resolved, That the committee on Finance be instructed to inquire into the expediency of imposing a tax on merchants and venders trading in keel or flat-boats on the waters exclusively within the jurisdiction of this State; and that said committee report by bill or otherwise as soon as practicable; which was read, and on motion of Mr. Brooke, was adopted.

Mr. Singleton, from the committee on Propositions and Grievances, made the following report, to-wit:

Mr. President—The standing committee on Propositions and Grievances, to whom was referred the petition of William P. Gill, praying the Legislature pass an act emancipating Eliza, a slave of the said Gill, have had the same under consideration, and have instructed me to report the following bill, and ask to be discharged from the further consideration of the subject; which was read.

Mr. Singleton moved that the report be received and agreed to.

Mr. Cannon called for a division of the question.

The vote was first taken on receiving the report; which was decided in the affirmative.

The vote was next taken on agreeing to said report; which was decided in the negative.

Mr. Cannon called for the ayes and nays thereon, which are as follows, to-wit:

Ayes—Messrs. Brooke. Beene, Golladay, Gilleland, Greer, Guion, Hodges, Reynolds, Singleton, Stewart, Tallaiferro, Thompson and White—13.

Nays—Mr. President, Messrs. Alcorn, Bell, Berry, Cannon, Carter, Drane, Hughes, Kennedy, McDugald, McAfee, Pettus, Ramsay, Stone, Torrey and Tait—16.

Mr. Stone asked to be excused from voting on said motion, which was refused.

The bill therein reported, to be entitled an act for the relief of Eliza, a slave, the properry of William P. Gill, was read the first time.

Mr. Cannon moved that said bill be rejected; which was decided in the negative.

Mr. Cannon called for the ayes and nays thereon, which are as follows, to-wit:

AYES—Mr. President, Messrs. Alcorn, Bell, Berry, Cannon, Carter, Hughes, Kennedy, McDugald, McAfee, Pettus, Ramsay, Torrey and Tait—14.

NAYS—Messrs. Brooke, Beene, Drane, Golladay, Greer, Guion, Hodges, Reynolds, Singleton, Stone, Stewart, Talliaferro, Thompson and White—15.

Mr. Stone moved that said bill be laid on the table; which was decided in the affirmative.

Mr. Stone called for the ayes and nays thereon, which are as follows, to-wit:

AYES—Mr. President, Messrs. Alcorn, Bell, Berry, Cannon, Carter, Drane, Hughes, Kennedy, McDugald, McAfee, Ramsay, Stone, Torrey and Tait—15.

NAYS—Messrs Brooke, Beene, Golladay, Gilleland, Greer, Guion, Hodges, Pettus, Reynolds, Singleton, Stewart, Talliaferro, Thompson and White—14.

On motion of Mr. Drane, leave of absence was granted to Mr. Catching for a short time.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to-wit:

MR. PRESIDENT—The Speaker of the House of Representatives has signed

An act to extend the time of holding the Probate court of Noxubee county;

An act to prevent injuries to the Telegraph lines in this State;

An act for the relief of James Gilmore Anderson, and Augusta R. Anderson;

An act to change the time of holding the Probate court of Covington county;

An act to enable the Board of Police of Jefferson county to levy a special tax for the erection of bridges in said county;

An act to reduce the per diem pay of the Board of Police of Attala county;

An act to change the time of holding the Police court of Amite county;

An act in relation to the outstanding claims against the county of Hinds;

An act to declare Newsom's Bayou a navigable stream;

An act for the benefit of Joseph Daniel Stokes, of Jefferson county;

An act to declare Old Fort Bayou a navigable stream;

An act to change the time of holding the Chancery court for the Southern District of Mississippi; which I am instructed to present to the Senate for the signature of the President.

The President signed the bills therein named.

The Senate proceeded to the consideration of the orders of the

day, and resolved itself into committee of the whole on the report of the committee on State and Federal relations, in relation to the slavery question, Mr. Pettus in the chair; and after some time spent therein, the committee rose, and Mr. Pettus reported progress, and asked leave to set again at 11 o'clock, A. M., on Monday next.

On motion of Mr. Pettus, the report was received and agreed to.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

MR. PRESIDENT—The House of Representatives have passed bills of the following titles, to-wit:

An act to to authorise guardians to resign their trusts;

A bill to be entitled an act for the relief of James M. Cook;

An act to amend an act entitled an act to provide for cases where no executor or administrator will qualify, under a last will and testament, and undertake to carry it into effect;

A bill to be entitled an act to regulate the lien of judgments rendered by justices of the peace; in which I am instructed to desire the concurrence of the Senate.

Mr. Bell gave notice, that he should, on Monday next, move a reconsideration of the vote taken on the order to print 200 copies of the report of the Secretary of State on the subject of the vote taken for and against calling a convention to remodel the constitution of the State.

On motion of Mr. Guion, the Senate adjourned until 10 o'clock Monday morning.

MONDAY, JANUARY 28, 1850.

The Senate met pursuant to adjournment, and was opened by prayer by the Rev. Mr. Johnson.

The journal of yesterday was read.

Mr. Berry, from the joint standing committee on Enrolled Bills, made the following report, to wit:

MR. PRESIDENT—The joint standing Committee on Enrolled Bills have this day examined a bill of the following title, to wit:

An act to reduce the per diem pay of the board of police of Attala county; and have found the same correctly enrolled.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

MR. PRESIDENT—The House of Representatives have passed bills of the following titles:

A bill to be entitled an act to prevent malicious prosecutions;

A bill to be entitled an act to authorize guardians to resign their trusts;

In which I am instructed to desire the concurrence of the Senate.

Mr. Drane presented the petition of Seth C. Platner, of Choctaw county; which was, on motion of Mr. Drane, was referred to a select committee of three.

Messrs. Drane, Cannon and Golladay were appointed said committee.

Mr. Guion presented the memorial of the trustees of the Mississippi Military Institute; which was read, and, on motion of Mr. Guion, said memorial was referred to the Committee on Education.

Mr. McDugald asked and obtained leave to introduce a bill to be entitled an act to amend the several acts in relation to strays, &c.; which was read the first time.

On motion of Mr. McDugald, the rule was suspended and the bill read the second time by title.

On the further motion of Mr. McDugald, said bill was referred to the Committee on the Judiciary.

Mr. Greer, from the joint standing Committee on the Penitentiary, made the following report, to wit:

MR. PRESIDENT:—The joint standing committee on the Penitentiary have completed their investigations, and beg leave to report:

That they have made a complete and thorough examination of the books and accounts, beginning at the period to which the investigation of the committee appointed by the last session of the legislature extended; and after scrutinizing every item in said books and accounts, and comparing each item with its proper voucher, have found the same to be perfectly accurate and correct. The books are kept after the most approved mode of book-keeping; all the vouchers are regularly numbered and filed, so that your committee had not the least difficulty in pursuing their investigations, and arriving at a knowledge of the financial condition of the institution.

Your committee beg leave to submit a statement made from a strict analysis of the report of the Superintendent, from which it will be apparent that the institution has paid all its proper expenses, and made a clear profit of nine hundred and thirty-six dollars and ninety-four cents for the last year.

The State has advanced to the institution during the year 1849, the sum of $9,731 42.

Against this sum, the institution is entitled to the following credits for work done for the State, &c. viz:

Amount paid for new machinery	$239	24
" " on Superintendent's new house	1,246	14
" of cost of making brick for Lunatic Asylum	4,500	00
" of cost of building cisterns on State grounds	500	00
" of cost of pavement on do	200	00

Amount of cost of repairs in Auditor's office	5	00
" of cost of a table furnished Treasurer's office	30	00
" of making 450 feet brick gutters for the State	112	50
" of cost for making brick floors in 50 cells	500	00
" of 4 pumps made for prison	48	00
" of fitting 2 cisterns and tops in prison	30	00
" of making steps to prison	10	00
" of new frame for cylinders in factory	5	00
" of difference in cash on hand at the beginning and close of the year	149	63
" of cash paid into the State Treasury	3,092	85
	$10,668	36

In this statement, your committee have credited the institution only with such labor and improvement as have added a permanent value to the property of the State, and with the cash paid into the treasury.

The law makes it the duty of the Superintendent to pay to each discharged convict a small sum of money, to enable him to support himself until he can find employment in some honest vocation. Under this provision of the law, the Superintendent has paid to discharged convicts during the year 1849, the sum of four hundred and fifty-four dollars and eighty-eight cents, for which the prison is fairly entitled to a credit, inasmuch as it does not properly come under the head of expenses, but is a bounty bestowed by the State from motives of humanity and policy.

The institution is also entitled to a credit for the expense of keeping prisoners waiting for new trials, which amounted in the year 1849 to $109. This charge properly falls upon the State, because prisoners sent to the Penitentiary for safe-keeping, while waiting for the decisions of the High Court of Errors and Appeals are not subject to labor, and of course can earn nothing.

Your committee cannot too strongly recommend the manufacturing department of the institution to the fostering care of the legislature. This branch of industry seems to be peculiarly adapted to Penitentiary labor, for the following reasons:

1st. The attention of the machinery affords constant employment to the *minds* of the convicts, and in this way has a tendency to prevent thoughts on plans of escape.

2d. It prevents them from being exposed to the weather, as must be the case in out-door work of all kinds, and in this way, promotes the health of the convicts.

3rd. It cuts off all chance of escape, and requires a less number of guard.

4th. It withdraws the miserable competition with the honest mechanics of the country, which has been so destructive to their prosperity.

5th. It is not only the most profitable branch of industry that

has ever been pursued in the institution, but it furnishes a ready market for a large quantity of cotton, and all the wool that can be furnished by the surrounding country.

Your committee have examined the yarns, linseys and osnaburgs manufactured at the institution, and do not hesitate to pronounce them equal to similar articles produced at any manufactory in the Union.

Your committee attribute the prosperous condition of the institution to the manufacturing department, although the engine and machinery now in use are only sufficient to employ about twenty-two hands; and the opinion is confidently expressed, that with a moderate and judicious appropriation of money, its operations will become a source of revenue to the State.

Your committee feel constrained, with a view to the comfort and proper medical treatment of the sick, and with a view to the convenient storage of goods manufactured in the prison, to recommend that the main front building, which is in a dilapidated and dangerous condition, be taken down and rebuilt so as to afford suitable and convenient rooms for the storage and sale of goods, and for hospital purposes.

Your committee believe, that in order to fix the entire responsponsibility of the prison upon the Superintendent, as well as to give greater energy to its operations, the Assistant-Keeper should be appointed by the Superintendent, by advice of the Board of Inspectors, and be entirely subordinate to his orders.

Your cammittee believe, that more frequent meetings of the Inspectors would increase the efficiency of the operations of the prison, and afford more satisfaction to the people.

Your committee have noticed, that there is in the institution a large amount of manufactured articles, such as wagons, &c., which have been on hand for some time, and are transferred from year to year, to the stock on hand, at a nominal value. They recommend that the Superintendent be authorised to sell such articles at public auction, after giving sufficient notice, as they are constantly decaying and decreasing in value, and that the proceeds be paid into the State treasury.

The committee cannot bring this report to a conclusion without earnestly recommending that suitable provision be made for the moral and religious instruction of the convicts.

The attention of your committee was called, at an early period of their labors, to an apparent discrepancy in the accounts of the Superintendent and State Treasurer. The communications of the Auditor and Treasurer, herewith submitted, will show that no discrepancy exists in fact.

In order to carry out the views of the committee, the following bill is respectfully submitted.

R. S. GREER,
Chairman Senate Committee.

AUDITOR'S OFFICE, JACKSON,
January 19, 1850.

Hon. R. S. Greer, Chairman Penitentiary Committee:

Sir—Your note of yesterday is received. Discrepancies will unnecessarily exist in the reports of the officers of the Prison, from those of the Auditor and Treasurer. It grows partly out of the fact, that the fiscal year in the prison is counted between different dates from those in which our balances are reported, and partly from the fact, that although their fiscal year closes on the 30th day of November, in each year, and the accounts due on that day are then allowed, yet the Superintendent's orders on this office bear date on the first days of December, 1848 and '49. With the exception of this difference in dates, growing out of the reason stated, there is no substantial difference in the statements of the monies actually drawn.

My books, from 1st January to 31st December, 1849, show a disbursement of $10,106 42 on Penitentiary account. The Prison report, from 1st December, 1848, to 30th November, 1849, show $9,631 42, received of the State during that period—difference $375. This am't was disbursed by my warrant on 10th Jan., 1849, but the voucher from the Prison was dated 1st December, 1848, and was for a quarter's salary due on the 30th Nov'r, 1848. Hence the difference in the statements, though there is no real difference in the cash drawn. Though the Penitentiary account is closed on the 30th November, the drafts for the amounts are not, in fact, drawn until the 1st day of December, and yet the Penitentiary charges itself with the amounts so drawn. My report of disbursements has reference to the day on which my warrant is drawn; that of the Treasurer, to the day on which it is presented to and paid by him. If you will examine their receipts, as dated in their reports, with the vouchers on file in my office, bearing in mind the difference in dates as stated, you will perceive that there is no real difference as to the money actually drawn. I will exhibit them in detail to your committee with pleasure.

Very respectfully,

GEO. T. SWANN,
Auditor Pub. Acct's.

STATE TREASURY OFFICE,
Jackson, Misp., Jan. 19, 1850.

Hon. R. S. Greer, Chairman Penitentiary Committee:

Sir—I am in receipt of your favor of yesterday, relative to "a difference in the amounts reported as drawn from the Treasury in the reports of the Superintendent and those of the Auditor and Treasurer," and requesting me "to state how it happens that these differences in the reports exist.

This discrepancy referred to, is only apparent, as may be seen

upon an examination of the vouchers filed in those departments. The report of disbursements at the Treasury, and that of the issue of pay warrants from the Auditor's office, cannot agree in any one year, except from the merest accident. This arises from the fact, that holders of warrants do not always present them for payment during the year they were issued, and I have no means compelling them to do so. Again: the warrants of former years' issue, (many of which are outstanding on various departments) are paid on presentation, and, of course, are reported in the Treasury disbursements of the year in which they are paid; and hence the Auditor's and Treasurer's reports of disbursements will not annually agree.

The report of the Superintendent of the Penitentiary I have not seen; but I have no reason to believe that "any errors exist in the statement of warrants reported in the Penitentiary account." That report, however, could not agree with mine, because the two run for different periods—one closing with November, and the other with December, in each year.

Trusting a further examination will make this satisfactory to the committee, I have the honor to remain, very respectfully,

Your ob't serv't, RD. GRIFFITH,
State Treasurer.

In order to carry out the views of the committee, a Bill has been submitted to the House of Representatives.

All of which is respectfully submitted,

ROBERT GREER,
Chairman Senate Committee.

Which was read.

On motion of Mr. Greer, said report was received.

Mr. Hodges moved that the report be agreed to, and two hundred copies be printed for the use of the Legislature; which was lost.

Mr. Singleton, from the Committee on Propositions and Grievances, made the following report, to wit:

Mr. President—The standing Committee on Propositions and Grievances, to whom was referred the petition of Robert Mitchell, a revolutionary soldier, asking relief at the hands of the Legislature, have had the same under consideration, and have instructed me to report the following bill, and ask to be discharged from the further consideration of the subject.

Which was read, and on motion of Mr. Singleton, said report was received and agreed to; and bill therein reported, to be entitled

An act for the relief of Robert Mitchell, a revolutionary soldier, was read the first time.

On the further motion of Mr. Singleton, the rule was suspended and the bill read the second time by title.

On the further motion of Mr. Singleton, said bill was recommitted to the committee on Propositions and Grievances.

Mr. Bell, by leave, called from the orders of the day,

A bill to be entitled an act for the relief of Daniel Alexander, a revolutionary soldier; which was read the first time.

On motion of Mr. Bell, the rule was suspended and said bill read the second time, forthwith, by title.

On the further motion of Mr. Bell, said bill was referred to the committee on Propositions and Grievances.

Mr. Singleton, from the committee on Propositions and Grievances, made the following report, to wit:

Mr. President—The standing committee on Propositions and Grievances, to whom was referred the petition of Sam Watts and wife, free persons of color, praying the passage of an act authorizing them to remain in this State, have had the same under consideration, and have instructed me to report the following bill, and ask to be discharged from the further consideration of the subject.

Which was read. On motion of Mr. Singleton, said report was received and agreed to; and the bill therein reported, to be entitled

An act for the relief of Sam Watts and Nancy Watts, free persons of color, was read the first time.

On motion of Mr. Guion, the rule was suspended and said bill read the second time, forthwith, by title.

Mr. Guion moved to amend said bill by inserting, in the eighth line, first section, after the words "reside in," the words, "county of Hinds and State of Mississippi;" which amendment was adopted.

Mr. Pettus moved the indefinite postponement of said bill; which was lost.

On motion of Mr. Guion, said bill was ordered to be engrossed and made the special order of the day for to-morrow.

Mr. Singleton, from the committee on Propositions and Grievances, made the following report, to wit:

Mr. President—The standing committee on Propositions and Grievances, to whom was referred the petition of Mathew Reynolds and Ellen, his wife, praying that an act be passed by the Legislature authorizing them to remain in the State, have had the same under consideration, and have instructed me to report the following bill for their relief, and ask to be discharged from the further consideration of the subject; which was read.

On motion of Mr. Singleton, said report was received and agreed to; and the bill therein reported, entitled an act for the relief of Mathew Reynolds, a free person of color, was read the first time.

On motion of Mr. Brooke, the rule was suspended and the bill read the second time, forthwith, by title.

Mr. Alcorn offered the following amendment to said bill, to wit:

"*Be it further enacted*, That Jeffrey Fergison, a free person of color, of Coahoma county, be authorized to remain in said county, upon like conditions."

Mr. Alcorn asked leave to withdraw said amendment, which was granted.

On motion of Mr. Brooke, said bill was ordered to be engrossed and made the special order of the day for to-morrow.

Mr. Berry, from the committee on Enrolled Bills, made the following report, to wit:

Mr. President—The joint committee on Enrolled Bills have this day presented to his Excellency, the Governor, for his approval and signature, bills of the following titles, viz:

An act for the benefit of Joseph Daniel Stokes, of Jefferson county;

An act to change the time of holding the probate court of the county of Covington;

An act to enable the board of police of Jefferson county to levy a special tax for the erection of bridges in said county;

An act for the relief of James Gilmore Anderson and Augusta R. Anderson;

An act to prevent injuries to the telegraph lines in this State;

An act to declare old Fort Bayou a navigable stream;

An act to change the time of holding the Vice Chancery Court for the Southern District of Mississippi;

An act to extend the time of holding the probate court of Noxubee county;

An act in relation to outstanding claims against the county of Hinds;

An act to change the time of holding the police court of Amite county;

An act to declare Newsom's bayou a navigable stream.

Mr. Brooke asked and obtained leave to introduce a bill to be entitled an act to amend the laws now in force in reference to runaway slaves; which was read the first time.

On motion of Mr. Brooke, the rule was suspended and said bill read the second time, forthwith, by title.

On the further motion of Mr. Brooke, said bill was referred to the committee on the Penitentiary.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

Mr. President—The House of Representatives have passed a bill of the following title:

An act to change the venue of the trial of certain slaves, from the county of Sunflower to that of Carroll;

In which I am desired to ask the concurrence of the Senate.

The Speaker of the House of Representatives has signed an act to reduce the per diem pay of the board of police of Attala county;

Which I am instructed to present to the Senate for the signature of the President.

The House of Representatives have given leave to the introduction of a bill to incorporate the Woodville Manufacturing Company.

Mr. Davis, by leave, called up a bill to be entitled an act to legalize the sale of the sixteenth sections of land sold in Amite county, and for other purposes.

On motion of Mr. Davis, said bill was referred to a select committee of three.

Messrs. Davis, Stone and Singleton were appointed said committee.

The Senate proceeded to the consideration of the orders of the day.

Mr. Berry moved to postpone the consideration of the report of the committee on State and Federal Relations; which was lost.

The Senate then resolved itself into committee of the whole on the report of the committee on State and Federal Relations, on the slavery question, Mr. Pettus in the chair; and, after some time spent therein, the committee rose, and Mr. Pettus reported said report back to the Senate, with sundry amendments thereto, and recommended its passage.

Mr. Pettus moved that said report be received and agreed to.

Mr. Bell called for a division of the question.

The vote was first taken on the reception of the report, which was decided in the affirmative. The vote was then taken on agreeing to the report, which was decided in the affirmative.

On motion of Mr. Gilleland, the report and resolutions, as amended, were ordered to be engrossed for a third reading, and made the special order of the day for to-morrow.

The following message was received from the House of Representatives, through their clerk, Mr. Russell:

Mr. President—The House of Representatives have passed bills of the following titles:

A bill to be entitled an act to amend the levee laws of Washington county;

A bill to be entitled an act to restrict the jurisdiction of the sheriffs of Tishemingo, Tippah and Scott counties, in certain cases therein mentioned;

In which I am instructed to desire the concurrence of the Senate.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

Mr. President—The House of Representatives have passed a Senate bill with the following title:

A bill to be entitled an act to provide for levying the Mississippi river, in the county of Bolivar.

The following message was received from his Excellency the Governor, through his Private Secretary, Mr. James McDonald, to wit:

Mr. President—I am instructed by his Excellency, the Governor, to inform the Senate that he has this day approved and signed bills of the following titles, to wit:

An act to prevent injuries to telegraphic lines in this State;

An act to change the time of holding the probate court of the county of Covington;

An act to enable the board of police of Jefferson county to levy a special tax.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

MR. PRESIDENT—The House of Representatives have passed a bill of the following title, viz:

A bill to be entitled an act to amend an act entitled an act to change the mode of collecting revenue of hawkers and peddlars in this State, approved February 28th, 1846;

In which I am instructed to desire the concurrence of the Senate.

On motion of Mr. Drane, the Senate adjourned till to-morrow morning, 10 o'clock.

TUESDAY, JANUARY 29, 1850.

The Senate met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Stiteler.

The journal of yesterday was read.

The following message was received from the House of Representatives; through their clerk, Mr. Russell, to-wit:

MR. PRESIDENT—The House of Representatives have passed a bill with the following title, to-wit:

A bill to be entitled an act for the relief of the widow of Lomax Commack; in which I am instructed to desire the concurrence of the Senate.

Mr. Drane presented the memorial of the citizens of Choctaw county to the Legislature, in relation to the New Orleans and Jackson Railroad, adopted by a meeting of said citizens held for that purpose; which was read, and on motion of Mr. Drane, was referred to a select committee of five.

Messrs. Drane, Brooke, Singleton, Stone and White, were appointed said committee.

Mr. Pettus asked and obtained leave to introduce a memorial entitled, a memorial of the Legislature of Mississippi to the Congress of the United States, now in session, praying the cession of certain public lands, to aid in the construction and completion of the Mobile and Ohio Railroad; which was read, and on motion of Mr. Pettus, said memorial was referred to a select committee of three.

Messrs. Pettus, Hughes and Catching, were appointed said committee.

Mr. Catching asked and obtained leave to introduce a bill to

be entitled an act to provide for the purchase of books, stationery, fuel and water, for the Legislature and State officers, and for the hire of sevants about the capitol; which was read the first time.

On motion of Mr. Catching, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Catching, said bill was ordered to be engrossed for a third reading on to-morrow.

Mr. Brooke called up from the orders of the day,

A bill to be entitled an act to change the venue of the trials of certain slaves from the county of Sunflower to that of Carroll; which was read the first time.

On motion of Mr. Brooke, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Brooke, the rule was further suspended, the bill read a third time and passed.

Ordered, That the title thereof be as stated.

Mr. Davis, from a select committee, made the following report, to-wit:

Mr. President—The select committee to whom was referred the bill to be entitled, an act to legalize the sale of the 16th sections of lands sold in Amite county, and for other purposes, have had the same under consideration, and have authorized me to report the following bill as a substitute, and recommend its passage.

On motion of Mr. Davis, the report was received and agreed to, and the bill therein reported, to be entitled, an act to amend an act, entitled an act to provide for common schools, approved 4th March, 1848, and for other purposes, so far as relates to the county of Amite, was read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Singleton, from the committee on Propositions and Grievances, made the following report, to-wit:

Mr. President—The standing committee on Propositions and Grievances, to whom was referred a House bill, entitled an act for the relief of Daniel Alexander, a Revolutionary soldier, have had the same under consideration, and have made some amendments thereto, and I am instructed to report the bill back as amended to the Senate, and recommend its passage.

On motion of Mr. Singleton, the report was received and agreed to, and the bill therein reported, to be entitled an act for the relief of Daniel Alexander, a Revolutionary soldier, was read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Singleton, from the committee on Propositions and Grievances, made the following report, to-wit:

Mr. President—The standing committee on Propositions and Grievances, to whom was recommitted the petition of Robert Mitchell, together with the bill reported for his relief, have had the same under consideration, and have made some amendments

thereto, and have instructed me to report the same back to the Senate and recommend its passage.

On motion of Mr. Singleton, the report was received and agreed to, and the bill thereon reported, to be entitled an act for the relief of Robert Mitchell, a Revolutionary soldier, was, on further motion of Mr. Singleton, considered as engrossed, read the third time as amended, and passed.

Ordered, That the title thereof be as stated.

Mr. Singleton, from the committee on Propositions and Grievances, made the following report, to-wit:

Mr. President—The standing committee on Propositions and Grievances, to whom was referred the petition of S. J. High, late sheriff of Pontotoc county, for allowance of his fees in criminal prosecutions, beg leave to return the same to the Senate without action, and ask that it may be referred to the standing committee on Claims, and that they be discharged from further consideration of the matter.

On motion of Mr. Singleton, the report was received and agreed to; and said petition was so referred.

Mr. Ramsay, from the committee on Finance, made the following report, to-wit:

Mr. President—The committee on Finance, to whom was referred a resolution instructing them to inquire into the expediency of imposing a tax on merchants and venders, trading in keel and flat-boats, on the waters exclusively in the jurisdiction of the State, have had the same under consideration, and have instructed me to make the following report:

Your committee are impressed with the importance of the subject matter referred to them, but think that the 24th section of the third article of the constitution, which declares that all bills for raising revenue shall originate in the House of Representatives, forbids any action on the part of your committee; they therefore ask leave to be discharged from the further consideration of the subject.

On motion of Mr. Ramsay, the report was received and agreed to.

Mr. Pettus asked and obtained leave to introduce a bill to be entitled, an act to incorporate the Pearl River Steam Navigation Company, which was read the first time.

On motion of Mr. Pettus, the rule was suspended, and the bill read a second time by title.

On the further motion of Mr. Pettus, the rule was further suspended, the bill considered as engrossed, read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Singleton asked and obtained leave to introduce a bill to be entitled, an act for the relief of Helen S. Johnston, a minor, of Madison county, which was read the first time.

On motion of Mr. Singleton, the rule was suspended, and the bill read the second time by title.

Mr. Singleton moved that the rule be further suspended, the bill be considered as engrossed, read the third time and put upon its passage; which was lost.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to-wit:

Mr. President—The House of Representatives have passed a Senate bill, to be entitled, an act to incorporate the New Orleans and Jackson Railroad Company, and for other purposes, and have made sundry amendments thereto; in which I am instructed to desire the concurrence of the Senate.

Mr. Beene, from the committee on Engrossed Bills, made the following report, to-wit:

Mr. President—The committee on engrossed bills, have examined bills of the following titles, to-wit:

A bill to be entitled, an act for the relief of Sam and Nancy Watts, free persons of color;

A bill to be entitled, an act for the relief of Matthew Reynolds, a free man of color;

Also, report of the joint select committee on Federal and State Relations, and have found the same correctly engrossed.

Mr. White asked and obtained leave to introduce a bill to be entitled, an act to amend an act, entitled, an act to aid in the establishment of an institution for the instruction of the blind, passed March 2, 1848, which was read the first time.

On motion of Mr. White, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. White, said bill was referred to the committee on Education.

Mr. Hodges, from a select committee, made the following report, to-wit:

Mr. President—The committee to whom was referred the petition of William Tullas, have had the same under consideration, and have instructed me to report the accompanying bill, and recommend its passage:

Mr. Hodges moved that the report be received and agreed to.

Mr. Brooke called for a division of the question.

The vote was taken on receiving said report, which was decided in the affirmative; and the bill therein reported, to be entitled, an act for the relief of William Tullas, of the county of Smith, was read the first time.

On motion of Mr. Carter, the Senate proceeded to the consideration of the orders of the day.

The report of the committee on State and Federal Relations, was read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act for the relief of Sam and Nancy Watts, free persons of color, was read the third time and passed.

Mr. Cannon called for the ayes and nays thereon, which are as follows, to-wit:

AYES—Mr. President, Messrs. Alcorn, Brooke, Beene, Golladay, Greer, Guion, Hodges, Hughes, McDugald, Reynolds, Singleton, Stone, Stewart, Talliaferro, Thompson, Tait, and White—18.

NAYS—Messrs. Bell, Berry, Catching, Cannon, Carter, Drane, Davis, Gilleland, Kennedy Pettus, Ramsay, Sharkey, and Torrey—13.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act for the relief of Matthew Reynolds, a free person of color, was read the third time and passed.

Mr. Carter called for the ayes and nays thereon, which are as follows, to-wit:

AYES—Messrs. Alcorn, Brooke, Beene, Golladay, Greer, Guion, Hodges, Hughes, McDugald, Reynolds, Singleton, Stone, Stewart, Thompson, Tait, and White—16.

NAYS—Mr. President, Messrs. Bell, Berry, Catching, Cannon, Carter, Drane, Davis, Gilleland, Kennedy, Pettus, Ramsay, Sharkey, Torrey, and Talliaferro—15.

Mr. Sharkey offered the following amendment to the title of said bill, viz:

"A bill to be entitled, an act to grant exclusive privileges to certain free negroes therein named," which was lost.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act to revive an act, entitled, an act to incorporate the town of Quitman, in the county of Clarke, approved Feb. 23, 1848, was read a second time.

On motion of Mr. McDugald, the rule was suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act repealing that portion of an act to reduce the expenses of the Government of the State of Mississippi, approved Feb. 14, 1842, which provides that Talis Jurors, shall not receive any compensation, was read the first time.

A bill to be entitled, an act for the relief of Jefferson Davis, Colonel of the First Regiment of Mississippi Rifles, during the war with Mexico, was read the second time.

On motion of Mr. Sharkey, the rule was suspended, the bill considered as engrossed, read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act to change the time of holding the regular terms of the police court in Clarke county, and for other purposes, was read the second time.

On motion of Mr. McDugald, the rule was suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act to change the name of Malisa Ann Brinkley to Malisa Ann Coward, and for other purposes, was read the second time.

A bill to be entitled, an act for the relief of Edward F. Bennett, of Madison county, was read the first time.

On motion of Mr. Singleton, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Singleton, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title be as stated.

A bill to be entitled, an act for the relief of the heirs of Daniel Fore and John Collier, and for other purposes, was read the first time.

On motion of Mr. Hodges, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Hodges, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act to reduce the number of deputy sheriffs in Tippah county, was read the first time.

A bill to be entitled, an act to repeal part of 2d section of an act passed 5th March, 1846, declaring Quiver river or Tompkin's Bayou, and the bayou known as Dry Bayou, navigable streams; was read the first time.

On motion of Mr. Brooke, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Brooke, the rule was further suspended, the bill read the third time and and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act for the benefit of Loretta Jane Hays, of Sunflower county, was read the first time.

On motion of Mr. Brooke, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Brooke, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act to keep open the bayous in Tunica county, was read the first time.

On motion of Mr. Alcorn, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Alcorn, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act to change the name of Leroy Ann Rebecca and Elvira Hosea to Burnham, was read the first time.

A bill to be entitled, an act declaring Abatuponbaugo a navigable stream, was read the first time.

On motion of Mr. Golladay, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Golladay, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act to incorporate the Board of Visiters of Yazoo Classical Hall, in Yazoo City, Yazoo county, was read the first time.

On motion of Mr. White, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. White, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act prescribing the mode of making payments into the Treasury of this State, was read the third time and passed.

Ordered, That the title thereof be as stated.

The House amendment to a Senate bill, to be entitled an act to incorporate the Carroll County Manufacturing Company, was read, and on motion of Mr. Kennedy, was concurred in.

A bill to be entitled, an act to amend the constitution of the State of Mississippi, was read the third time, and passed.

The ayes and nays thereon are are follows, to-wit:

Ayes—Messrs. Alcorn, Brooke, Bell, Berry, Beene, Cannon, Carter, Davis, Golladay, Gilleland, Guion, Hodges, Hughes, Kennedy, Pettus, Ramsay, Reynolds, Singleton, Stone, Stewart, Sharkey, Torrey, Tait, and White—24.

Nays—Mr. President, Messrs. Catching, Drane, Greer, Talliaferro, and Thompson—6.

A bill to be entitled, an act to take the sense of the people of the State of Mississippi, on the propriety of calling a convention to amend the constitution of the State, was taken up.

On motion of Mr. Carter, said bill was made the special order of the day, in committee of the whole, on to morrow at 11 o'clock, A. M.

A bill to be entitled, an act to prevent the estate, real and personal, of James Garillo, deceased, late of Warren county, Mississippi, from escheating to the State, was read the first time.

A bill to be entitled, an act to reduce the costs of criminal proceedings, was read the first time.

A bill to be entitled, an act amendatory of the laws relative to divorce, was read the first time.

A bill to be entitled, an act to amend an act, entitled, an act to provide for cases when no executor or administrator will qualify under the last will and testament, and undertake to carry into effect; approved March 5, 1846, was read the first time.

A bill to be entitled, an act to authorize Guardians to resign their trusts, was read the first time.

A bill to be entitled, an act for the relief of James McCook, was read the first time.

A bill to be entitled, an act to regulate the lien of judgments rendered by Justices of the Peace, was read the first time.

A bill to be entitled, an act to prevent malicious prosecutions, was read the first time.

A bill to be entitled, an act to authorize Guardians to resign their trusts, was read the first time.

On motion of Mr. Catching, the rule was suspended, and the bill read a second time by title.

On the further motion of Mr. Catching, the rule was further suspended, the bill read a third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act to restrict the jurisdiction of the Sheriffs of Tishemingo, Tippah, and Scott counties, in certain cases therein mentioned, was read the first time.

On motion of Mr. Berry, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Berry, said bill was referred to the Judiciary committee.

A bill to be entitled, an act to amend an act entitled, an act to change the mode of collecting revenue of hawkers and pedlars in this State, approved Feb. 28, 1846, was read the first time.

On motion of Mr. Brooke, the Senate adjourned until to-morrow morning, 10 o'clock.

WEDNESDAY, January 30, 1850.

The Senate met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Walker.

The journal of yesterday was read.

Mr. Cannon presented the claim of W. H. Stamps and S. Matthews; which on motion of Mr. Cannon, was referred to the committee on Claims.

Mr. Sharkey presented the petition of C. Steele, sheriff of Warren county; which, on motion of Mr. Sharkey, was referred to the committee on Claims.

Mr. Sharkey presented the petition of the citizens of Township 17, Range 5 East, of Warren county; which was read, and on motion of Mr. Sharkey, was referred to a select committee of three.

Messrs. Sharkey, McDugald and Brooke were appointed said committee.

Mr. Cannon, from the committee on Claims, made the following report, to-wit:

Mr. President—The joint standing committee on Claims, to

whom was referred the petition of Martin H. Deveroux, to be paid a large sum claimed by him to be due by the State of Mississippi, have had the same under consideration, and have instructed me to report the same back to the Senate, and recommend the petitioner to apply to the courts of the country for relief, as such legal questions might arise which the committee do not conceive themselves competent to decide, and beg to be discharged from the further consideration of the subject; which was read.

On motion of Mr. Cannon, the report was received and agreed to.

Mr. Stewart, from the committee on Education, made the following report, to-wit:

Mr. PRESIDENT—A majority of the select committee, to whom was referred the petition of Seth C. Platner, of Choctaw county, have instructed me to report, that it is inexpedient to grant the prayer of said petition, and ask leave to be discharged from the further consideration of the subject; which was read, and on motion of Mr. Drane, the report was received and agreed to.

Mr. Stewart, from the committee on Education, made the following report, to-wit:

MR. PRESIDENT—The standing committee on Education, to whom was referred a bill entitled an act to amend an act, entitled an act to aid in the establishment of an institution for the instruction of the blind, have had the same under consideration, and have instructed me to report the bill without alteration or amendment, and recommend that it do pass; which was read, and on motion of Mr. Stewart, the report was received and agreed to.

Mr. Stewart, from the committee on Education, made the following report, to-wit:

MR. PRESIDENT—The standing committee on Education, to whom was referred a bill to be entitled an act to authorise the mayor and aldermen of the city of Jackson to sell certain lots in said city for purposes therein declared, have had the same under consideration, and have instructed me to report the bill to the Senate without amendment; which was read.

On motion of Mr. Stewart, the report was reeceived and agreed to.

Mr. Guion, from the committee on the Judiciary, made the following report, viz:

MR. PRESIDENT—The committee on the Judiciary, to whom was referred a bill entitled an act to compel all persons liable to do road duty, to open new roads, have had the same under consideration, and instructed me to report as a substitute therefor, and recommend the passage of a bill to be entitled an act to amend the road laws, which is herewith submitted; which was read, and on motion of Mr Guion, the report was received and agreed to.

Mr. Guion, from the committee on the Judiciary, made the following report, to-wit:

MR. PRESIDENT—The standing committee on the Judiciary to whom was referred a bill to be entitled an act to authorise the judges of the Circuit courts of Mississippi, to grant writs error and supersedeas in certain cases, have had the same under consideration, and have instructed me to report as a substitute, and recommend the passage of, a bill to be entitled an act to amend the law in relation to writs of error and supersedeas in criminal cases, which is herewith submitted; which was read.

On motion of Mr. Guion, the report was received and agreed to.

Mr. Guion from the committee on the Judiciary, made the following report, to-wit:

MR. PRESIDENT—The standing committee on the Judiciary, to whom was referred a bill to be entitled an act to repeal the forthcoming bond law of this State, have had the same under consideration, and instructed me to report, that in their opinion, it is inexpedient at this time to make any change in the laws on that subject; which was read.

Mr. Guion moved that the report be received and agreed to.

Mr. Greer called for a division of the question.

The vote was first taken upon the reception of the report, which was decided in the affirmative.

The vote was next taken on agreeing to said report, which was decided in the affirmative.

Mr. Stone, from the Judiciary, committee made the following report, viz:

MR. PRESIDENT—The Judiciary committee, to whom was referred the resolution submitting to the people a change in the constitution, so that the elections for political and civil officers shall be held at different times, have had the same under consideration, and instructed me to report the resolution back to the Senate as amended; which was read, and on motion of Mr. Stone, the report was received and agreed to.

Mr. Stone, from the committee on the Judiciary, made the following report, to wit:

MR. PRESIDENT—The committee on the Judiciary, to whom was referred a bill to be entitled an act to regulate the interest on judgments and decrees, and for other purposes, have had the same under consideration, and instructed me to report the bill back to the Senate as amended, and recommend its passage; which was read, and on motion of Mr. Stone, the report was received and agreed to.

Mr. Berry, from the committee on Enrolled Bills, made the following report, to-wit:

MR. PRESIDENT—The joint standing committee on Enrolled Bills have this day examined bills of the following titles, to-wit:

An act to provide for levying the Mississippi river, in the county of Bolivar;

An act to incorporate the Carroll County Manufacturing Company;

An act to amend the levee laws of Washington county; and found the same correctly enrolled.

Mr. Beene, from the committee on Engrossed bills made the following report, to-wit:

MR. PRESIDENT—The committee on Engrossed Bills have examined a bill to be entitled an act to provide for the purchase of books, stationery, fuel and water for the Legislature and State officers, and for the hire of servants about the Capitol, and have found the same correctly engrossed.

Mr. Singleton, from the committee on the Judiciary, made the following report, to wit:

MR. PRESIDENT—The standing committee on the Judiciary, to whom was referred a bill to be entitled an act to amend the several laws of this State in relation to the protection and preservation of the rights of married women, have had the same under consideration, and have instructed me to report, herewith, a substitute for the same, and recommend its passage.

Which was read, and, on motion of Mr. Singleton, the report was received and adopted.

Mr. Singleton, from the committee on the Judiciary, made the following report, to wit:

MR. PRESIDENT—The standing committee on the Judiciary, to whom was referred a bill to be entitled an act to establish a Central and Vice Chancery Court, have had the same under consideration, and have instructed me to report the bill back to the Senate, without amendment, and ask to be discharged from the further consideration of the subject.

Which was read, and, on motion of Mr. Singleton, the report was received and agreed to.

Mr. Sharkey asked and obtained leave to offer the following explanation, to wit.

MR. PRESIDENT—The undersigned, being a member of the committee on Propositions and Grievances, to whom was referred the petition of sundry citizens of Hinds, and also of Holmes county, praying the Legislature to pass a law authorizing certain free negroes named in said petition to remain in the State, upon which the majority of said committee reported in favor of granting the prayer of said petitions, and reported bills for that purpose which passed the Senate; and the undersigned having, for several days, been confined to his room from indisposition, and not knowing of the action of the committee, and consequently having had no opportunity of making a minority report, begs leave to enter upon the journal of the Senate this, his dissent, from the report of the majority of the committee aforesaid upon said petitions.

Which was read, and, on motion of Mr. Sharkey, was ordered to be spread on the journal.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

Mr. President—The Speaker of the House of Representatives has signed bills with the following titles:

An act to incorporate the Carroll County Manufacturing Company;

An act to amend the levee laws of Washington county;

An act to provide for levying the Mississippi river, in the county of Bolivar

Which I am instructed to present to the Senate for the signature of the President.

The President signed the bills therein named.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

Mr. President—The House of Representatives have passed bills with the following titles:

A bill to be entitled an act to incorporate the town of Biloxi, in the county of Harrison;

A bill to be entitled an act to amend the practice in the courts of probate;

In which I am instructed to desire the concurrence of the Senate.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

Mr. President—The House of Representatives have passed bills with the followrng titles:

A bill to be entitled an act to incorporate the Woodville Manufacturing Company;

A bill to be entitled an act to amend the one hundred and sixteenth section of an act approved June 28th 1822;

In which I am instructed to desire the concurrence of the Senate.

The Senate proceeded to the consideration of the orders of the day, and took up a bill to be entitled

An act to take the sense of the people of the State of Mississippi on the propriety of calling a convention to amend the constitution of the State.

Mr. Bell moved that said bill be postponed until next Saturday week, at 11 o'clock, A. M., in committee of the whole; which was decided in the negative.

The Senate then resolved itself into committee of the whole on said bill, Mr. Hodges in the chair; and, after some time spent therein, the committee rose, and Mr. Hodges reported progress, and asked leave to sit again to-morrow at 11 o'clock, A. M.

On motion of Mr. Hodges, the report was received and agreed to.

Mr. Stewart called from the table a bill reported from the House of Representatives, to be entitled an act to incorporate the Woodville Manufacturing Company; which was read the first time.

On motion of Mr. Stewart, the rule was suspended and the bill read the second time by title.

On the further motion of Mr. Stewart, the rule was further suspended, the bill read the third time and passed.

Ordered, that the title be as stated.

Mr. Guion called from the orders of the day a bill to be entitled

An act to incorporate the New Orleans and Jackson Railroad Company, and for other purposes, and the amendments made by the House of Representatives to said bill, to wit:

Amend by adding the additional sections:

Section —. *And be it further enacted*, That John Phillips, —— Pike, —— Elam, —— Roberts, Samuel Lee, James Perkins, Blythes Haynes, E. T. Merick, Hezekiah Thompson, Thos. G. Davidson, James M. Smiley, William T. Robinson, J. F. Lowrey, H. G. Street and James M. Gallant be, and they are hereby, appointed commissioners, under the direction of any five of whom subscriptions may be received to the captal stock of the Baton Rouge and Liberty Railroad, hereby incorporated; and they, or any five of them, may cause books to be opened, at such times and places of opening the same as they, or any five of them, may deem proper; and that, after the first opening of the books, they shall be kept open so long as said commissioners, or any five of them, shall deem proper, or until the whole capital stock of one million of dollars shall have been subscribed and paid into the company, as hereinafter directed or provided for; and if any of said cemmissioners shall die, resign, or refuse to act, the remaining commissioners, or any five of them, shall appoint another in his stead.

Section —. *And be it further enacted*, That the capital stock of said Baton Rouge and Liberty Railroad shall be one million of dollars, to be subscribed for in shares of one hundred dollars each, to be paid in money or labor upon said railroad, as hereinafter provided, at the option of the subscriber or subscribers, which choice must be designated by each subscriber at the time of making the subscription, and be by him entered on the books kept for subscription of stock; and as soon as stock to the amount of two hundred thousand dollars, to be paid as aforesaid, shall be subscribed as stock to said road, the subscribers of said stock, their successors and assigns, shall be, and they are hereby, declared to be incorporated into a company, by the name and style of the "Baton Rouge and Liberty Railroad Company," and by that name and style shall be capable, in law, of purchasing, holding, selling and leasing real and personal estate, so far as the same may be necessary for the purpose of constructing and using the said railroad to the best advantage, in the estimation of the directory and managers of the same; and by said name they may sue and be sued, plead and be impleaded, and may have a common seal, and shall have and enjoy and exercise all the powers, rights, privileges and

immunities which other corporate bodies may lawfully do, for the purposes herein expressed.

Section —. *Be it further enacted*, That all powers, privileges and immunities conferred upon and extended to the New Orleans and Jackson Railroad Company be, and the same are hereby, conferred upon and extended to the Baton Rouge and Liberty Railroad Company, so far as the same are or may be applicable to the same, or necessary to attain the objects proper of said company last aforesaid; and the charter and chartered privileges of the said New Orleans and Jackson Railroad Company, as specified in this act, so far as the same can be made applicable, are hereby adopted for, and as the charter and chartered privileges and immunities of the Baton Rouge and Liberty Railroad Company, for the construction of a railroad from and between Baton Rouge, in the parish of East Baton Rouge, in the State of Louisiana, and Liberty, in the county of Amite, in the State of Mississippi, except the provisions of the twentieth section.

Amend the nineteenth section by striking out, after the word "taxation," and inserting "until such time as the legislature may hereafter order or direct."

Amend the twentieth section by striking out, in the proviso to said section, the word "company," and insert, in lieu thereof, the word "commissioners."

Amend section twenty-first, by adding the following words: 'and shall continue in force fifty years;" which was read.

Mr. Guion moved that the second amendment be disagreed to; which was decided in the affirmative.

Mr. Guion moved that the third amendment be disagreed to; which was decided in the affirmative.

On motion of Mr. Guion, the first and fourth amendments were agreed to.

On motion of Mr. Stewart, the Senate adjourned until to-morrow morning, 10 o'clock.

THURSDAY, JANUARY 31, 1850.

The Senate met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Henderson.

The journal of yesterday was read.

Mr. Berry, from the committee on Enrolled Bills, made the following report, to wit:

MR. PRESIDENT—The joint standing committee on Enrolled Bills have this day examined bills of the following titles, viz:

An act for the benefit of Loretta Jane Hayes, of Sunflower county;

An act to change the venue of the trial of certain slaves, from the county of Sunflower to that of Carroll;

An act to repeal part of section second of an act passed 5th of March, 1846, declaring Quiver river, or Tompkins' bayou, and the bayou known as Dry bayou, navigable streams;

An act to authorize guardians to resign their trust;

An act to change the time of holding regular terms of the police court in Clarke county, and for other purposes;

An act for the relief of Edward F. Bennett, of Madison county;

An act to revive an act entitled an act to incorporate the town of Quitman, in the county of Clarke, approved February 23d. 1848;

An act prescribing the mode of making payments into the treasury of this State;

An act for the relief of the heirs of Daniel Fox and John Collier, and for other purposes;

An act declaring Abatuponbgue a navigable stream;

An act to incorporate the board of visitors of Yazoo Classical Hall, in the town of Yazoo City, in the county of Yazoo;

An act to keep open the bayous in Tunica county; and have found the same correctly enrolled.

Mr. Stone asked and obtained leave to introduce a bill to be entitled an act to extend the time of holding the Circuit Court of Lawrence county; which was read the first time.

On motion of Mr. Stone, the rule was suspended, and the bill read a second time by title.

On the further motion of Mr. Stone, the rule was further suspended, the bill considered as engrossed, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Stone called from the orders of the day a bill to be entitled an act to amend the law in relation to writs of error and of supercedeas in criminal cases; which was read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Singleton, from the committee on Propositions and Grievances, made the following report, to wit:

Mr. President—The standing committee on Propositions and Grievances, to whom was referred the petition of David M. Haley, and others, praying the passage of an act to incorporate Pearl River Female Academy, have duly considered the same, and have instructed me to report the following bill and recommend its passage; which was read.

On motion of Mr. Singleton, said report was received and agreed to, and the bill therein reported, to be entitled

An act to incorporate the Pearl River Female Academy, in

township seven, range two west, in Madison county, was read the first time.

On motion of Mr. Singleton, the rule was suspended and the bill read the second time by title.

On the further motion of Mr. Singleton, the rule was further suspended, the bill considered as engrossed, read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Singleton asked and obtained leave to introduce a bill to be entitled an act for the relief of William Owen, a minor, of Madison county; which was read the first time.

On motion of Mr. Singleton, the rule was suspended and the bill read the second time by title.

On the further motion of Mr. Singleton, the rule was further suspended, the bill considered as engrossed, read the third time and passed.

Ordered, that the title thereof be as stated.

The Senate proceeded to the consideration of the orders of the day, and resolved itself into committee of the whole on a bill to be entitled an act to take the sense of the people of the State of Mississippi on the propriety of calling a convention to amend the constitution of the State, Mr. Hodges in the chair; and, after some time spent therein, the committee rose, and Mr. Hodges reported said bill back to the Senate, with the following amendments, to wit:

Amend by striking out, in section seven, the words, "of the votes so taken and returned," and insert "equal to a majority of all the votes polled for members of Congress at the last general election."

Fill the blank in the fourth section, fifteen lines after the word "the," "first Monday and day following, in March, 1851."

Fill the first blank by inserting the first Monday, and day following, in November, 1850.

Fill the blank in the fourth section by inserting, after the word "on," "first Monday in January, 1850."

Fill the blank in section fifth, after the word "the," "first Monday of May, 1851."

Fill the blank in section seventh, after the word "shall," "in twenty days."

And ask leave to be discharged from the further consideration of the same."

On motion of Mr. Hodges, the report was received and agreed to.

Mr. Greer moved that said bill, as amended, be engrossed for a third reading on to-morrow; which was lost.

Mr. Guion called for the ayes and nays thereon, which are as follows, to wit:

Ayes—Mr. President, Messrs. Brooke, Berry, Beene, Cannon,

Drane, Golladay, Gilleland, Greer, Hughes, Reynolds, Talliaferro, Thompson and Tait—14.

Nays—Messrs. Alcorn, Bell Catching, Carter, Davis, Guion, Hodges, Kennedy, McDugald, McAfee, Pettus, Ramsay, Singleton, Stone, Stewart, Sharkey, Torrey and White—18.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

Mr. President—The Speaker of the House of Representatives has signed bills of the following titles:

An act for the benefit of Loretta Jane Hays, of Sunflower county;

An act to change the venue of the trials of certain slaves from the county of Sunflower to that of Carroll;

An act to repeal part of second section of an act passed 5th March, 1846, declaring Quiver river, or Tompkins' bayou, and the bayou known as Dry bayou, navigable streams;

An act to authorize guardians to resign their trust;

An act to change the time of holding the regular terms of the police court in Clarke county, and for other purposes;

An act for the relief of Edward F. Bennett, of Madison county;

An act to revive an act entitled an act to incorporate the town of Quitman, in the county of Clarke, approved February 23d, 1848;

An act prescribing the mode of making payments into the treasury of this State;

An act for the relief of the heirs of Daniel Fore and John Collier, and for other purposes;

An act declaring Abatuponbogue a navigable stream;

An act to incorporate the Board of Visitors of Yazoo Classical Hall, in the town of Yazoo City, in Yazoo county;

An act to keep open the bayous in Tunica county;

Which I am instructed to present to the Senate for the signature of the President.

The House of Representatives have passed a bill with the following title, to wit;

A bill to be entitled an act to annex to Yazoo county a portion of the territory of Issaquena;

In which I am instructed to desire the concurrence of the Senate.

The President signed the bills therein named.

Mr. Berry, from the Committee on Enrolled Bills, made the following report, to wit:

Mr. President—The joint committee on Enrolled Bills have this day presented to his Excellency, the Governor, for his approval and signature, bills of the following titles, to wit:

An act to reduce the per diem pay of the board of police of Attala county;

An act to amend the levee laws of Washington county;

An act to incorporate the Carroll County Manufacturing Company;

An act to provide for levying the Mississippi river, in the county of Bolivar.

Mr. Berry asked and obtained leave to offer the following resolution, to wit:

Resolved, That the joint standing committee on Enrolled Bills be instructed to present to his Excellency, the Governor, for his approval and signature, a joint resolution, which was passed by a vote of both Houses, to print five thousand copies of the proceedings of the convention in relation to the slavery question;

Which was read the first time.

On motion of Mr. Guion, the Senate adjourned until to-morrow morning, 10 o'clock.

FRIDAY, FEBRUARY 1, 1850.

The Senate met pursuant to adjournment; and was opened with prayer by the Rev. Mr. Russell.

The journal of yesterday was read.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to-wit:

MR. PRESIDENT—The House of Representatives have passed Senate bills of the following titles:

A bill to be entitled, an act to incorporate the town of Cartharge, in Leake county;

A bill to be entitled, an act to legalize the acts of the Probate Court of Perry county;

A bill to be entitled, an act to provide for taking the sense of the people of Carroll county, on the question of annexing a portion of said county to the county of Holmes;

A bill to be entitled, an act to provide for transcribing certain Records in the county of Bolivar;

A bill to be entitled, an act to attach the county of Simpson to the Southern District Chancery Court;

A bill to be entitled, an act to amend an act, entitled, an act to establish a system of Common Schools, and for other purposes, approved March 4, 1848;

A bill to be entitled, an act to establish a system of Common Schools in Yazoo county; and have have made an amendment thereto, in which I am instructed to desire the concurrence of the Senate.

Mr. Berry called from the orders of the day, the following resolution, to-wit:

Resolved, That the joint standing committee on Enrolled Bills

be instructed to present to his Excellency the Governor, for his approval and signature a joint resolution, which was passed by a vote of both Houses, to print 5000 copies of the proceedings of the Convention in relation to the Slavery question—which was read and adopted.

Mr. Stone presented the claim of James M. Turner, sheriff of Lawrence county; which, on motion of Mr. Stone, was referred to the committee on Claims.

Mr. Cannon called from the orders of the day, a bill to be entitled, an act to amend an act entitled an act to aid in the establishment of an institution for the Blind, passed March 2, 1848, which was read a third time and passed.

Ordered, That the title thereof be as stated.

Mr. Brooke asked and obtained leave to introduce a bill to be entitled an act to incorporate the Lexington and Yazoo River Railroad Company, which was read the first time.

On motion of Mr. Brooke, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Brooke, said bill was made the special order of the day at 11 o'clock, A. M., on to-morrow.

Mr. Ramsay, from the standing committee on Finance, made the following report, to-wit:

MR. PRESIDENT—The committee on Finance, to whom was referred so much of the Governor's message as relates to the duties of the State Commissioner, have had the same under consideration and beg leave to report, that after a thorough investigation of the State Commissioner's office, during the term of the present incumbent, they find outstanding and uncollected of the Sinking Fund the amounts, in notes and judgments of $705,845 26, about one third of which it is supposed can be made available. The above amount includes the principal and interest due and outstanding of the Sinking Fund up to the first day of January, 1850.

They also find that there are, belonging to the Seminary Fund, two thousand nine hundred and sixty acres of land, valued by Morgan McAfee, former Commissioner of the Sinking Fund, at $22,800, and three hundred and twenty acres of land, valued by the present Commissioner at $2000—amounting to $24,800.

There are in hand, good notes to fall due.....	$5,400 00
In judgments that are available.....	3,000 00
Cash in the Commissioner's hands, enjoined at the suit of Geo. Work.....	6,728 06
Making total available Seminary Fund.....	9,928 06

Your committee will also report that there are judgments belonging to the Town Lot Fund, represented by the present Commissiener as certainly available in a short time..... 8,000 00

They are also informed by the State Commission-

er, that suits are pending to enforce the State's lien on various lots in the city of Jackson, from which he thinks there may be realized.....	7,000 00
Making total Town Lot Fund.....	$15,000 00
There are also belonging to the Town Lot Fund in Mississippi Union Bank money, the amount of received from D. Shelton, by special act authorizing him to make payment of that amount in Union money.	5,000 00
The whole amount of the Sinking Fund, collected by the present State Commissioner, up to the first day of January, 1850, amounting to.....	35,520 01
The amount collected of the same fund since the 1st day of January.....	3,734 00
Making total amount of Sinking Fund collected	$39,254 01
The whole amount of Seminary Fund collected up to the first day of January, 1850 is.....	979 85
Collected since the first day of January, 1850.....	718 00
Making total amount of Seminary Fund collected	$1,697 85
The whole amount of the Town Lot Fund collected up to the first day of January is.....	35 00
Collected since the first day of January, 1850.....	1,453 45
Total am't of Town Lot Fund collected by Com'er.	$1,488 45
Making the whole amount collected by Commissioner from the Sinking, Seminary, and Town Lot Fund.....	$42, 440 31
It will be seen by the above statement, that the State Commissioner is debtor to the Sinking, Seminary, and Town Lot Fund, the amount of	42,440 31
And he is entitled to the following credit, viz:	
To amount paid into the Treasurer's office, as per receipt up to first day of Jan. 1850.....	32,964 00
Since the first day of January, 1850.....	3,130 00
Whole amount paid into the Treasury, on account of Sinking Fund.....	36,094 00
Amount paid into State Treasury on account of the Seminary Fund.....	1,089 85
To amount paid taxes, costs, and lawyers' fees, as per vouchers examined.....	2,381 84

To salary of State Commissioner for one year and eleven months.....	2,875 00
Making the whole amount.....	$42,440 69

Accounted for by the Commissioner, showing that the whole amount received by the Commissioner has been satisfactorily accounted for. All of which is respectfully submitted.

A. W. RAMSAY, Chairman.

Which was read, and on motion of Mr. Ramsay, was received and agreed to.

On motion of Mr. White, two hundred copies of said report was ordered to be printed for the use of the Senate.

Mr. Golladay asked and obtained leave to offer the following resolution, to-wit:

Resolved, That a committee of three be appointed, whose duty it shall be to inquire into the propriety of releasing Lorenzo R. Stewart from the payment of the sum of $3,500, part of the taxes of the county of Yallobusha, for the year 1844, and by said Stewart paid over to one James Wade, in January, 1845, to be transmitted to the proper office at Jackson; that said committee have full power to send for books, persons, and papers touching their investigations, and report by bill or otherwise.

Which was read, and on motion of Mr. Golladay, was adopted.

Messrs. Golladay, Torrey, and Cannon were appointed said committee.

Mr. Sharkey asked and obtained leave to offer the following resolution, to-wit:

Resolved, That a select committee of three be appointed, to inquire into the expediency of abolishing the vice chancery courts, and also into the constitutionality and expediency of commissioning each of the circuit judges in this State, to hold a vice chancery court in each county twice a year.

Which was read, and on motion of Mr. Sharkey, was adopted.

Messrs. Sharkey, Pettus, and Brooke were appointed said committee.

Mr. Berry, from the committee on Enrolled Bills, made the following report, to-wit:

MR. PRESIDENT—The joint standing committee on Enrolled Bills, have this day presented to his Excellency the Governor, for his approval and signature, bills of the following titles, viz:

An act declaring Abatuponbouge a navigable stream;

An act to authorize Guardians to resign their trusts;

An act prescribing the mode of making payments into the Treasury of this State;

An act to change the time of holding the regular terms of the police court in Clarke county, and for other purposes;

An act for the relief of Edward F. Bennett, of Madison county;

An act to incorporate the Board of Visiters of Yazoo Classical Hall, in Yazoo City, Yazoo county;

An act to repeal part of 2d section of an act passed 5th March, 1846, declaring Quiver river or Tompkin's Bayou, and the bayou known as Dry Bayou, navigable streams;

An act to change the venue of the trials of certain slaves from the county of Sunflower to that of Carroll;

An act to keep open the bayous in Tunica county;

An act for the relief of the heirs of Daniel Fore and John Collier, and for other purposes;

An act for the benefit of Loretta Jane Hays, of Sunflower county;

An act to revive an act, entitled, an act to incorporate the town of Quitman, in the county of Clarke, approved Feb. 23, 1848;

They have also examined a bill of the following title, viz:

An act to incorporate the Woodville Manufacturing Company; and have found the same correctly enrolled.

The Senate proceeded to the consideration of the orders of the day, a bill to be entitled, an act to change the name of Malisa Ann Brinkley to Malisa Ann Coward, and for other purposes, was read the third time and passed.

Mr. Berry called for the ayes and nays thereon, which are as follows, to-wit:

Ayes—Messrs. Alcorn, Brooke, Bell, Beene, Catching, Drane, Davis, Golladay, Greer, Guion, Hodges, Hughes, Kennedy, McDugald, McAfee, Pettus, Ramsay, Reynolds, Singleton, Stone, Stewart, Sharkey, Torrey, Talliaferro, Thompson, Tait, and White—27.

Nays—Messrs. Berry and Cannon—2.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act to provide for the purchase of books, stationery, fuel and water, for the Legislature and State officers, and for the hire of sevants about the capitol; which was read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act for the relief of Helen S. Johnson, a minor, of Madison county, was read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act to establish a central Vice Chancery Court, was, on motion of Mr. Sharkey, laid on the table.

A bill to be entitled, an act to amend the several laws of this State, in relation to the protection and preservation of the rights of married women, was read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act to incorporate the town of Biloxi, in the county of Harrison, was, on motion of Mr. Ramsay, referred to a select committee of three.

Messrs. Ramsay, McDugald, and Beene, were appointed said committee.

A bill to be entitled, an act to amend the Road Laws, was read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act to regulate the interest on Judgments and Decrees, and for other purposes, was read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Brook moved a re-consideration of the vote taken on the passage of a bill to be entitled, an act to amend the several laws of this State, in relation to the protection and preservation of the rights of married women; which was decided in the affirmative.

Mr. Brooke offered the following amendment, by way of ryder to said bill, to-wit:

Be it further enacted, That this act shall extend to contracts made with attorneys, for professional services, rendered in reference to the separate property of the wife, and also to medical services rendered to the husband, where said husband is insolvent; which was read and adopted.

The bill as amended was then put upon its passage and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act repealing that portion of an act to reduce the expenses of the Government of the State of Mississippi, approved Feb. 14, 1842, which provides that Talis Jurors, shall not receive any compensation, was read the second time.

Mr. Tait moved the indefinite postponement of said bill, which was lost.

Mr. Sharkey called for the ayes and nays thereon, which are as follows, to-wit:

AYES—Messrs. Alcorn, Brooke, Bell, Cannon, Drane, Golladay, Guion, Thompson and Tait—9.

NAYS—Messrs. Berry, Beene, Carter, Davis, Greer, Hodges, Hughes, Kennedy, McDugald, McAfee, Pettus, Ramsay, Reynolds, Singleton, Stone, Stewart, Sharkey, Torrey, Talliaferro, and White—20.

Mr. Davis moved that the rule be suspended, the bill read the third time, and put upon its passage; which was lost.

A bill to be entitled, an act to reduce the number of deputy sheriffs in Tippah county, was, on motion of Mr. Berry, referred to a select committee of three.

Messrs. Berry, Greer, and Kennedy were appointed said committee.

A bill to be entitled, an act to change the name of Leroy Ann Rebecca and Elvira Hosea to Burnham, was read the second time.

A bill to be entitled, an act to prevent the estate, real and personal, of James Garillo, deceased, late of Warren county, Mississippi, from escheating to the State, was read the second time.

A bill to be entitled an act to reduce the cost of criminal proceedings, was read the second time.

A bill to be entitled an act amendatory of the laws relative to divorces, was read the second time.

On motion of Mr. Singleton, said bill was referred to the committee on the Judiciary.

A bill to be entitled an act to amend an act entitled an act to provide for cases where no executor or administrator will qualify under a last will and testament, and undertake to carry it into effect, approved March 5th, 1846, was read the second time.

A bill to be entitled an act to authorize guardians to resign their trusts, was read the second time.

A bill to be entitled an act for the relief of James Mr. Cooke, was read the second time.

A bill to be entitled an act to regulate the lien of judgments rendered by justices of the peace, was read the second time.

Mr. Drane moved the indofinite postponement of said bill; which was lost.

On motion of Mr. Pettus, said bill was referred to the committee on the Judiciary.

A bill to be entitled an act to prevent malicious prosecutions, was read the second time.

On motion of Mr. Brooke, said bill was indefinitely postponed.

A bill to be entitled an act to amend an act entitled an act to change the mode of collecting revenue of hawkers and pedlars in this State, approved February 28th, 1846, was read the second time.

Mr. Torrey offered the following amendment, to wit:

Amend third section by striking out, after the word "imprison," in third line from bottom, and insert "destrain the goods and chattels of him, the said hawker and pedlar, or so much thereof as will be sufficient to pay said fines, and all costs;" which was adopted.

Mr. Torrey offered the following amendment to said bill, to wit:

Amend fourth section by striking out all after the word "the," in next to last line, and insert "county jail, for not less than thirty days nor more than six months;" which was adopted.

Mr. Torrey offered the following amendment to said bill, to wit:

Amend fifth section by adding, after the word "Sunflower," "Jefferson, Claiborne, Chickasaw, Oktibbeha, Warren, Copiah, Holmes, Jasper and Clarke."

On motion of Mr. Cannon, said bill, with the amendments, was referred to the committee on the Juaiciary, with instructions that they report a general bill.

The following message was received from his Excellency, the Governor, through his Private Secretary, Mr. McDonald, to wit:

Mr. President—I am instructed by his Excellency, the Governor, to inform the Senate that he has this day approved and signed bills of the following titles, to wit:

An act to incorporate the Carroll County Manafacturing Company;

An act to provide for leveeing the Mississippi river, in the county of Bolivar;

An act to amend the levee laws of Washington county.

The Senate again resumed the consideration of the orders of the day:

A bill to be entitled an act for the relief of William Tullas, of the county of Smith, was read the first time.

On motion of Mr. Hodges, the rule was suspended and the bill read the second time by title.

Mr. Brooke moved that said bill be referred to the committee on Propositions and Grievances, with iustructions that they report a bill for the protection of the rights of married men.

Mr. McAfee called for a division of the question.

The vote was first taken on the motion to refer; which was decided in the affirmative.

A resolution to amend the constitution of the State of Mississippi, was read the second time, and passed to its third reading.

The ayes and nays thereon are as follows, to wit:

Ayes—Messrs. Alcorn, Brooke, Bell, Berry, Beene, Drane, Golliday, Guion, Hodges, Hughes, Kennedy, McAfee, Pettus, Reynolds, Stone, Stewart, Sharkey, Torrey, Thompson, Tait and White—22.

Nays—Messrs. Catohing, Carter, Davis, Greer, McDugald, Ramsay, Singleton and Talliaferro—8.

A bill to be entitled an act for the relief of Lenox Cavinack, was read the first time.

A bill to be entitled an act to to amend the one hundred and sixteenth section of an act approved June 28th, 1822, was read the first time.

Mr. Brooke moved the indefinite postponement of said bill; which was lost.

A bill to be entitled an act to amend the practice in the courts of probate, was read the first time.

A bill to be entitled an act to authorize the mayor and aldermen of the city of Jackson to sell certain lots in said city, for purposes therein declared, was read the first time.

A bill to be entitled an act to annex to Yazoo county a portion of the county of Issaquena, was read the first time.

On motion of Mr. White, the rule was suspended and the bill read a second time by title.

On the further motion of Mr. White, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Guion asked and obtained leave to introduce a bill to be entitled an act to abolish liens of judgments rendered by justices of the peace; which was read the first time.

On motion of Mr. Guion, the rule was suspended and the bill read the second time by title.

Mr. Brooke offered the following amendment to said bill, to wit:

Be it further enacted, That the liens of all judgments of justices of the peace, heretofore rendered, if any such lien exists, shall cease within six months after the passage of this act; which was adopted.

On motion of Mr. Guion, said bill, as amended, was ordered to be engrossed for a third reading on to-morrow.

Mr. Singleton asked and obtained leave of absence for a short time.

On motion of Mr. Bell, the Senate adjourned until to-morrow morning, 10 o'clock.

SATURDAY, FEBRUARY 2, 1850

The Senate met pursuant to adjournment. The journal of yesterday was read.

On motion of Mr. Brooke, leave of absence was granted to Mr. Cannon for a short time.

Mr. Guion, from the committee on the Judiciary, made the following report, to wit:

MR. PRESIDENT—The standing committee on the Judiciary, to whom was referred a bill to be entitled an act to regulate the terms of and proceedings in the High Court of Errors and Appeals, and for other purposes, have had the same under consideration, and have instructed me to report an amendment to said bill, and earnestly recommend its passage.

Which was read.

Mr. Guion moved that said report be received and agreed to.

Mr. Greer called for a division of the question.

The vote was first taken on receiving said report; which was decided in the affirmative.

The vote was next taken on agreeing to said report; which was decided in the affirmative.

Mr. Carter, from a special joint committee, made the following report, to wit:

MR. PRESIDENT—The special joint committee, to whom was referred the joint resolution to take under consideration the expediency of leasing the State penitentiary, have had the same under consideration, and have instructed me to report that, in the opinion of your committee, it would become a fruitful source of revenue,

instead of a continual drain from our treasury. Also, your committee have further instructed me to report a bill and recommend that it pass, and ask leave to be discharged from the further consideration of the same.

Which was read.

On motion of Mr. Carter, the report was received and agreed to, and the bill therein reported, to be entitled an act to provide for leasing the Penitentiary of the State of Mississippi, was read the first time.

On motion of Mr. Carter, said bill was laid on the table, and two hundred copies thereof ordered to be printed for the use of the Legislature.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

Mr. President—The House of Representatives have passed bills of the Senate of the following titles, to wit:

A bill to be entitled an act to amend the school laws of March 4th, 1846, so far as the same relates to the county of Choctaw;

A bill to be entitled an act to incorporate the Pearl River Steam Navigation Company;

A bill to be entitled an act for the relief of Robert Mitchell, a revolutionary soldier;

A bill to be entitled an act for the relief Daniel Alexander, a revolutionary soldier;

A bill to be entitled an act for the relief of Jefferson Davis, Colonel of the First Regiment of Mississippi Rifles during the war with Mexico.

The House of Representatives have adopted the following joint resolution:

Resolved, (the Senate concurring,) That the joint standing committee on Enrolled Bills be instructed to present to his Excellency, the Governor, for his approval and signature, a joint resolution which was passed by a vote of both Houses, to print five thousand copies of the proceedings of the convention in relation to the slavery question.

The House has also passed a bill to be entitled an act to reduce the number of clerks of the two Houses of the Legislature;

In both of which I am instructed to ask the concurrence of the Senate.

The Speaker of the House of Representatives has signed a bill with the following title:

An act to incorporate the Woodville Manufacturing Company;

Which I am instructed to present to the Senate for the signature of the President.

The President signed the bills therein named.

Mr. Ramsay asked and obtained leave to introduce a bill to be entitled an act to incorporate the town of Shieldsborough, and for other purposes; which was read the first time.

On motion of Mr. Ramsay, the rule was suspended and the bill read the second time by title.

On the further motion of Mr. Ramsay, said bill, with the accompanying petitions, were referred to a select commttee of three.

Messrs. Ramsay, McDugald and Stone were appointed said committee.

Mr. Brooke, from the Judiciary Committee, made the following report, to wit:

Mr. President—The Judiciary Committee, to whom was referred the memorial of the Chancellor, and sundry members of the bar, in relation to a general index of all cases decided in the Superior Court of Chancery, compiled by Jonathan T. Simms, have had the same under consideration, and have instructed me to report the following bill, and recommend the passage thereof.

Which was read, and, on motion of Mr. Brooke, said report was received and agreed to; and the bill therein reported, to be entitled

An act for the benefit of Jonathan T. Simms, was read the first time.

Mr. Brooke asked and obtained leave to introduce a bill to be entitled an act to incorporate the town of Richland, in the county of Holmes; which was read the first time.

On motion of Mr. Brooke, the rule was suspended and the bill read the second time by title.

On the further motion of Mr. Brooke, the rule was further suspended, the bill considered as engrossed, read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Beene, from the committee on Engrossed Bills, made the following report, to wit:

Mr. President—The Committee on Engrossed Bills have examined a bill to be entitled an act to abolish liens of judgments rendered by justices of the peace, and have found the same correctly engrossed.

Mr. Berry, from the committee on Enrolled Bills, made the following report, to wit:

Mr. President—The Joint Committee on Enrolled Bills have this day examined bills of the following titles, viz:

An act to attach the county of Simpson to the Southern District Chancery Court;

An act to incorporate the town of Carthage, in Leake county;

An act to amend an act entitled an act to establish a system of common schools, and for other purposes, approved March 4th, 1848;

An act to provide for transcribing certain records in Bolivar county;

An act to legalize the acts of the probate court of Perry county;

An act to annex to Yazoo county a portion of the territory of Issaquena;

An act to change the name of Melissa Ann Brinkley to Melissa Ann Coward; and have found the same correctly enrolled.

The following message was received from the House of Representatives, through their clerk, Mr. Russell:

Mr. President—The Speaker of the House of Representatives has signed bills of the following titles, viz:

An act to change the name of Melissa Ann Brinkley to Melissa Ann Coward;

An act to annex to Yazoo county a portion of the territory of Issaquena;

An act to attach the county of Simpson to the Southern District Chancery Court;

An act to amend an act entitled an act to establish a system of common schools, and for other purposes, approved March 4th, 1848;

An act to legalize the act of the probate court of Perry county;

An act to provide for transcribing certain records in Bolivar county;

An act to incorporate the town of Carthage, in Leake county;

Which I am instructed to present to the Senate for the signature of the President.

The President signed the bills therein named.

Mr. Beene, from the Judiciary Committee, made the following report, to wit:

Mr. President—The committee on the Judiciary, to whom was referred a bill to be entitled an act to amend the several acts in relation to strays, &c.; have instructed me to report said bill back to the Senate, and ask to be discharged from the consideration of the same.

Which was read, and, on motion of Mr. Beene, said report was received and agreed to.

Mr. Beene, from the Judiciary Committee, made the following report, to wit:

Mr. President—The committee on the Judiciary, to whom was referred a bill to be entitled an act to restrict the jurisdiction of the sheriffs of Tishemingo, Tippah and Scott counties, in certain cases therein mentioned, have had the same under consideration, and have instructed me to report a substitute for said bill, entitled "A bill to be entitled an act to limit the duties of sheriffs of certain counties," and recommend the adoption of said substitute, and ask to be discharged from the further consideration of the subject.

Which was read, and, on motion of Mr. Beene, said report was received and agreed to; and the bill therein reported, to be entitled

An act to limit the duties of sheriffs, in certain counties, was read the first time.

On motion of Mr. Berry, the rule was suspended and the bill read the second time by title.

Mr. Berry offered the following amendment to said bill, to wit:

Strike out, in the last line of section second, the word "from,"

and insert the words, "and take effect in ninety days;" which was adopted.

Mr. Tait moved to amend said bill by adding, "De Soto county;" which was adopted.

Mr. Pettus moved to amend said bill by adding, "Kemper county;" which was adopted.

On motion of Mr. Berry, said bill, as amended, was ordered to be engrossed for a third reading on Monday next.

Mr. Berry, from a select committee, made the following report, to wit:

MR. PRESIDENT—The select committee to whom was referred a bill to be entitled an act to reduce the number of deputy sheriffs in Tippah county, have had the same under consideration, and have instructed me to report the bill back, without amendment.

Which was read, and, on motion of Mr. Berry, said report was received and agreed to.

Mr. Guion asked and obtained leave to introduce a bill to be entitled an act to reduce into one the several act heretofore passed in relation to sixteenth sections, and common schools, so far as relates to the counties of Hinds, Madison and Claiborne; which was read the first time.

The following message was received from his Excellency the Governor, through his Private Secretary, Mr. McDonald, to wit:

MR. PRESIDENT—I am instructed by his Excellency, the Governor, to inform the Senate that he has this day approved and signed a resolution bearing the following title, to wit:

Resolution relative to the proceedings of the State Central Meeting and State Convention.

Mr. Berry, from the committee on Enrolled Bills, made the following report, to wit:

MR. PRESIDENT—The committee on Enrolled Bills have this day presented to his Excellency, the Governor, for his approval and signature, resolutions of the following title, viz:

Resolutions relative to the proceedings of the State Central Meeting and State Convention.

Mr. Thompson asked and obtained leave to introduce a bill to be entitled an act to incorporate the Matubbe Plank Road Company; which was read the first time.

On motion of Mr. Thompson, the rule was suspended and the bill read the second time by title.

On the further motion of Mr. Thompson, said bill was ordered to be engrossed for a third reading on Monday next.

Mr. Guion asked and obtained leave to introduce a bill to be entitled an act to appoint an inspector of public lands and timber in this State, and for other purposes; which was read the first time.

Mr. White asked and obtained leave to offer the following resolution, to wit:

Resolved, That the committee on the Judiciary be instructed to prepare and report a bill for the more speedy and summary trial of slaves and free negroes, for capital offences committed in this State.

Which was read, and, on motion of Mr. White, was adopted.

Mr. Brooke called from the orders of the day a bill to be entitled an act to incorporate the Lexington and Yazoo River Railroad Company; which was read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Guion asked and obtained leave to introduce a bill to be entitled an act to amend the several laws in relation to free negroes and mulattoes; which was read the first time.

On motion of Mr. Guion, the rule was suspended and the bill read the second time by title.

On motion of Mr. McDugald, said bill was referred to a committee of the whole House, and made the special order of the day for Monday next, at 11 o'clock, A. M.

On motion of Mr. Hodges, the Senate adjourned until Monday morning, 10 o'clock.

MONDAY, FEBRUARY 4, 1850.

The Senate met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Johnson.

The journal of yesterday was read.

Mr. Berry, from the joint standing committee on Enrolled Bills, made the following report, viz:

MR. PRESIDENT—The joint standing committee on Enrolled Bills have this day presented to his Excellency the Governor, for his approval and signature, bills of the following titles, to-wit:

An act to change the name of Melissa Ann Brinkley to Melissa Ann Coward;

An act to legalize the acts of the Probate court of Perry county;

An act to incorporate the Woodville Manufacturing Company;

An to incorporate the town of Carthage, in Leake county;

An act to attach the county of Simpson to the Southern Distric Chancery court;

An act to annex to Yazoo county a portion of the territory of Issaquena;

An act to amend an act, entitled an act to establish a system of common schools, and for other purposes, approved March 4, 1848;

An act to provide for transcribing certain records in Bolivar county;

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to-wit:

MR. PRESIDENT—The House of Representatives have passed bills with the following titles, to-wit:

A bill to be entitled an act to change the time of holding the Circuit courts in the counties of Harrison and Hancock;

A bill to be entitled an act to authorise the respective clerks of the Vice Chancery court of the Northern District of the State of Mississippi to perform all acts appertaining to the office of clerk, until their successors in office shall be duly appointed;

A bill to be entitled an act to authorise the Board of Police of Newton and Wayne counties, to increase the county tax;

A bill to be entitled an act to authorise Abner Reeves, administrator of the estate of Albert G. Hill, deceased, to deliver the same to Robert L. Render, and for other purposes;

A bill to be entitled an act to incorporate the Mississippi Mutual Insurance Company;

A bill to be entitled an act to amend the several laws of this State in relation to common schools, so far as relates to Chickasaw county;

A bill to be entitled an act to declare Lake Henry and Turkey Bayou navigable;

A bill to be entitled an act for the benefit of the sheriff of Washington county;

A bill to be entitled an act to authorise the school trustees of Township 4, of Range 3 west, in Hinds county, to execute a lease, or leases, to Henry D. Gibbs for ninety-nine years, for certain portions of sixteenth section therein;

A bill to be entitled an act to amend an act entitled an act to incorporate the town of Pass Christian, passed 21st of February, 1848.

A bill to be entitled an act to change the name of Mary Ann Eliza Ligon, to Mary Ann Eliza McAlister, and for other purposes;

A bill to be entitled an act for the benefit of Elihu Nooner; in which I am instructed to desire the concurrence of the Senate.

The House of Representatives have passed Senate bills with the following titles:

A bill to be entitled an act to incorporate the Columbus Mutual Insurance Company;

A bill to be entitled an act to incorporate the Desoto Manufacturin Company; and have made amendments thereto, in which I am instructed to desire the concurrence of the Senate

The House of Representatives have receded from their second amendment made to the Senatc bill, entitled an act to incorporate the New Orleans and Jackson Railroad Company, and insist upon the third amendment made thereto.

I am instructed by the House of Representatives to request the Senate to report back to the House a Senate bill entitled an act for the relief of Jefferson Davis, Colonel of the First Regiment Mississippi Rifles during the war with Mexico.

The House of Representatives have passed Senate bills with the following titles:

A bill to be entitled an act to amend an act to incorporate the Deer Creek Railroad Company, approved February 11, 1848.

A bill to be entitled an act to enable the commissioners appointed by an act entitled an act to remove the county seat of Sunflower county, approved March 5th, 1846, to settle their accounts as such commissioners with the Board of Police of said county, and for other purposes;

A bill to be entitled an act to amend an act, entitled an act to provide for common schools, approved 4th March, 1848, and for other purposes, so far as relates to the county of Amite.

Mr. Berry from the committee on Enrolled Bills, made the following report, to wit:

Mr. President—The joint standing committee on Enrolled Bills have this day examined bills of the following titles, to wit:

An act for the relief of Daniel Alexander, a Revolutionary soldier;

An act to amend the school law of March 4th, 1846, so far as the same relates to the county of Choctaw;

An act to incorporate the Pearl river Steam Navigation Company; and have found the same correctly enrolled.

Mr. Tait asked and obtained leave to introduce a bill to be entitled an act to authorise P. M. Oliver and John Robertson, or their assigns, to build a turnpike road through the swamp of Coldwater, in Desoto county; and accompanied said bill with a petition, which bill and petition were read the first time.

On motion of Mr. Tait, the rule was suspended, and the bill read the second time by title.

Mr. Sharkey offered the following amendment, to said bill, to wit:

Provided, the six months limitation prescribed by this section, shall not apply to persons laboring under legal disabilities; which was adopted.

On the further motion of Mr. Tait, the rule was further suspended, the bill as amended considered as engrossed, read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Greer asked and obtained leave to introduce a bill to be entitled an act to amend an act entitled an act for the benefit of the poor, approved February 5th, 1848; which was read the first time.

On motion of Mr. Greer, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Greer, the rule was further suspended, the bill considered as engrossed, read the third time and passed.

Ordered, That the title thereof be as stated.

On motion of Mr. Torrey, leave of absence was granted to Mr. Stone for a short time.

On motion of Mr. McDugald leave of absence was granted to Mr. Hodges for a short time.

Mr. Guion asked and obtained leave to introduce a bill to be entitled an act to form an additional judicial district in the State of Mississippi, and for other purposes; which was read the first time.

On motion of Mr. Guion, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Guion, said bill was referred to a select committee of five.

Messrs. Sharkey, Guion, Brooke, Singleton and White were appointed said committee.

Mr. Greer asked and obtained leave to introduce a bill to be entitled an act to amend the laws in relation to the change of venue in criminal cases; which was read the first time.

On motion of Mr. Greer, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Greer, said bill was referred to the committee on the judiciary.

Mr. Beene, from the committee on Engrossed Bills, made the following report, to wit:

Mr. President—The committee on Engrossed Bills have examined bills of the following titles, to wit:

A bill to be entitled an act to limit the duties of sheriffs in certain counties;

A bill to be entitled an act to incorporate the Matubbe Plank Road company; and have found the same correctly engrossed.

Mr. Brooke asked and obtained leave to introduce a bill to be entitled an act to attach the county of Sunflower to the District Chancery court for the Northern District of Mississippi; which was read the first time.

On motion of Mr. Brooke, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Brooke, the rule was further suspended, the bill considered as engrossed, read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Brooke asked and obtained leave to introduce a bill to be entitled an act to establish Murdock's ferry; which was read the first time.

On motion of Mr. Brooke the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Brooke, said bill was referred to a select committee of three.

Messrs. Brooke, White and Sharkey were appointed said committee.

Mr. Golladay asked and obtained leave to introduce a bill to be

entitled an act to exempt school lands from taxation; which was read the first time.

On motion of Mr. Golladay, the rule was suspended, and the bill read the second time by title.

Mr. Drane moved to except Choctaw county from the provisions of said bill; which was adopted.

On motion of Mr. Golladay, said bill as amended was referred to a select committee of three.

Messrs. Golladay, McDugald and Drane were appointed said committee.

Mr. Carter presented the claim of William H. White, former sheriff of Lauderdale county; which, on motion of Mr. Carter, was referred to a select committee of three.

Messrs. Carter, Brooke and McDugald were appointed said committee.

The Senate proceeded to the consideration of the orders of the day, and resolved itself into committee of the whole on a bill to be entitled an act to amend the several laws in relation to free negroes and mulattoes, Mr. Stewart in the chair; and after some time spent therein, the committee rose, and Mr. Stewart reported said bill back to the Senate with the following amendment, and recommended the passage of the same, to wit:

Amend the first section, by inserting after the word "State," and no other.

On motion of Mr. Stewart, the report was received and agreed to.

The following message was received from his Excellency the Governor, through his private Secretary, Mr. McDonald, to-wit:

Mr. President—I am instructed by his Excellency the Governor, to inform the Senate that he has this day approved and signed bills of the following titles, to wit:

An act to provide for transcribing certain records in Bolivar county.

An act to amend an act entitled an act to establish a system of common schools, and for other purposes, approved March 4th, 1848;

An act to attach the county of Simpson to the Southern District Chancery court;

An act to legalise the acts of the Probate court of Perry county;

An act to incorporate the town of Carthage, in Leake county.

The following message was also received from his Excellency the Governor, through his private Secretary, Mr. McDonald, to wit:

To the Senate:

I ask the advice and consent of the Senate to the remission of the forfeiture obtained by the State in the Circuit court of Leake county, on the first day of October, A. D. 1846, against John Boyd, Hewlet Brewer, James Johnson aud Major Johnson, as the sure-

ties of John Wilborn, for the sum of three hundred dollars. I transmit, as the ground of this application, the following documents:

1st. The petitions of 126 citizens of Leake county, praying the remission of said forfeiture.

2d. The statement of H. S. Rawls.

3d. The letter of Joseph D. Eades, Esq.

4th. A certified abstract of the record in the Circuit court of Leake county.

These documeuts appear to me to constitute a proper case for the exercise of executive clemency. J. A. QUITMAN.

EXECUTIVE CHAMBER, JACKSON, Feb'y 4, 1850.

The Senate again resumed the consideration of the orders of the day.

A bill to be entitled an act repealing that portion of an act to reduce the expenses of the government of the State of Mississippi, approved February 14, 1842, which provides that talis jurors shall not receive any compensation, was read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to change the name of Levy Ann Rebecca Elvira Hosea to that of Burnham, was read the third time.

Mr. Pettus moved to lay said bill upon the table; which was lost.

The vote was then taken on the passage of said bill; which was decided in the affirmative.

Ordered, that the title thereof be as stated.

A bill to be entitled an act to prevent the estate, real and personal, of James Garillo, deceased, late of Warren county, Mississippi, from escheating to the State, was read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to reduce the costs of criminal proceedings, was read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to amend an act entitled an act to provide for cases where no executor or administrator will qualify under a last will and testament, and undertake to carry it into effect, approved March 5th, 1846, was read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to authorise guardians to resign their trust, was read the third time.

On motion of Mr. Sharkey, said bill was laid on the table.

A bill to be entitled an act for the relief James M. Cooke, was read the third time and passed.

Ordered, that the title thereof be as stated.

A resolution to amend the constitution of the State of Mississippi, was read the third time and passed.

The ayes and nays thereon are as as follows, to wit:

Ayes—Mr. President, Messrs. Alcorn, Brooke, Bell, Berry, Beene, Cannon, Carter, Drane, Golladay, Guion, Hughes, Kennedy, McDugald, McAfee, Pettus, Ramsay, Reynolds, Stewart, Sharkey, Torrey, Thompson, Tait and White—23.

Nays—Messrs. Catching, Davis, Greer, and Talliaferro—4.

Ordered, That the title thereof be as stated.

On motion of Mr. Berry, leave of absence was granted to Mr. Gilleland for a short time.

A bill to be entitle an act to authorise the mayor and aldermen of the city of Jackson to sell certain lots in said city for purposes therein declared, was read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act for the relief the widow of Lomax Commack, was read the second time.

A bill to be entitled an act to abolish liens of judgments rendered by justices of the peace, was read the third time.

Mr. Carter offered the following amendment by way of engrossed ryder, to wit:

Be it further enacted, That it shall only apply after property has changed into the possession of a second person or persons; which was lost.

The vote was then taken on the passage of said bill; which was lost.

Mr. Carter called for the ayes and nays thereon, which are as follows, to wit:

Ayes—Messrs. Alcorn, Brooke, Beene, Golladay, Guion, Sharkey and Torrey—7.

Nays—Mr. President, Messrs. Bell, Berry, Cannon, Carter, Drane, Davis, Greer, Hughes, Kennedy, McDugald, McAfee, Pettus, Ramsay, Reynolds, Stewart, Thompson, Tait and White—18.

The following message was received from the House of Repsentatives, through their clerk, Mr. Russell, to wit:

Mr. President—The House of Representatives have passed a Senate bill to be entitled an act to incorporate the Yazoo Big Black Plank Road company, and have made sundry amendments thereto; in which I am instructed to desire the concurrence of the Senate.

The Senate again resumed the consideration of the orders of the day.

A bill to he entitled an act to limit the duties of Sheriffs in certain counties, was read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to incorporate the Matubba Plank Road company, was read the third time.

Mr. Drane offered the following amendment by way of engrossed ryder, to-wit:

Amend section 5, by adding at the end thereof, "*Provided*, that said road shall not interfere with or in any way obstruct any public road now in use, or that hereafter may be laid out or established by law;" which was adopted.

The vote was then taken on the passage of said bill; which was decided in the affirmative.

Ordered, That the title thereof be as stated.

Mr. White asked and obtained leave to call from the table a bill to be entitled an act to incorporate the Big Black Plank Road company, with the amendments made by the House of Representatives to said bill; which amendments were read, and on motion of Mr. White, were concurred in.

Mr. Alcorn asked and obtained leave to introduce a bill to be entitled an act to limit the liens of judgments from justices courts; which was read the first time.

On motion of Mr. White, the Senate adjourned till to-morrow morning at 10 o'clock.

TUESDAY, FEBRUARY 5, 1850.

The Senate met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Stiteler.

The journal of yesterday was read.

Mr. Berry, from the committee on Enrolled Bills, made the following report, to-wit:

MR. PRESIDENT—The joint standing committee on Enrolled Bills, have this day examined bills of the following titles, to-wit:

An act repealing that portion of an act to reduce the expenses of the Government of the State of Mississippi, approved February 14, A. D., 1842, which provides that Tallis Jurors shall not receive any compensation;

An act for the relief of James M. Cook;

An act to change the name of Leroy Ann Rebecca and Elvira Hosea, to that of Burnham;

An act to amend an act, entitled, an act to provide for cases when no executor or administrator will qualify under the last will and testament, and undertake to carry into effect; approved March 5, 1846;

An act to reduce the costs of criminal proceedings;

An act to prevent the estate real and personal of James Garillo, deceased, late of Warren county, Mississippi, from escheating to the State;

An act to amend an act entitled, an act to provide for Common

Schools, approved 4th March, 1848, and for other purposes, so far as relates to the county of Amite;

An act to provide for taking the sense of the people of Carroll county, on the question of annexing a portion of said county to the county of Holmes;

An act to amend an act to incorporate the Deer Creek Railroad Company, approved Feb 11, 1848; and have found the same correctly enrolled.

Mr. Cannon presented the claim of E. W. Gartow, which, on motion of Mr. Cannon, was referred to the committee on Claims.

Mr. Sharkey moved that the bill to be entitled, an act for the relief of Jefferson Davis, Colonel of the First Regiment of Mississippi Rifles, during the war with Mexico, with the accompanying documents, be sent to the House of Representatives, in compliance with a resolution of said House, which was decided in the affirmative.

Mr. Tait called from the orders of the day, the amendment made by the House of Representatives to a bill to be entitled, an act to incorporate the Desoto Manufacturing Company, which was read and on motion of Mr. Tait, were concurred in.

Mr. Thompson called from the orders of the day, the amendment made by the House of Representatives to a bill to be entitled, an act to incorporate the Columbus Mutual Insurance Company; which was read, and on motion of Mr. Thompson, was concurred in.

Mr. Pettus asked and obtained leave to introduce a bill to be entitled an act to amend an act, entitled, an act to amend and reduce into one, the several acts in relation to the Revenue of this State, and for other purposes, approved March 5, 1846, which was read the first time.

On motion of Mr. Pettus, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Pettus, said bill was ordered to be engrossed for a third reading, and made the special order for 11 o'clock, A. M., on to-morrow.

Mr. Brooke called from the table a bill to be entitled, an act proposing an amendment to the Constitution of the State of Mississippi, which, on motion of Mr. Brooke, was made the special order of the day for Thursday next at 11 o'clock, A. M.

Mr. Carter asked and obtained leave to introduce a bill to be entitled, an act to repeal an act entitled an act amendatory of the Poor Laws, which was read the first time.

On motion of Mr. Carter, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Carter, said bill was ordered to be engrossed for a third reading on to-morrow.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to-wit:

Mr. President—I am instructed by the House of Representatives to inform the Senate, that they have received from his Excellency the Governor, a message in writing, and accompanying therewith certain resolutions, from the General Assembly of the State of Connecticut, on the subject of slavery, and have unanimously passed the following resolution:

Resolved, (the Senate concurring,) that his Excellency the Governor, be requested to return to the Governor of the State of Connecticut the Preamble and Resolutions passed by the Legislature of said State, on the subject of slavery;

And have passed a bill to be entitled, an act for the relief of Lewis S. Jones and others; in which I am instructed to desire the concurrence of the Senate.

On motion of Mr. Cannon, the Senate went into executive session with open doors, on the message of the Governor, asking the advise and consent of the Senate, to the remission of the forfeiture obtained by the State, in the circuit court of Leake county, on the first day of October, A. D., 1846, against John Boyd and others, as the sureties of John Wilborn, for the sum of three hundred dollars.

On the further motion of Mr. Cannon, the Senate advised and consented, as asked in said message; and, on the further motion of Mr. Cannon, the executive session rose.

Mr. Ramsay, from a select committee, made the following report, to-wit:

Mr. President—The select committee to whom was referred the bill to incorporate the town of Shieldsborough, have had the same under consideration, and beg leave to report:

Your committee find, after an examination of the petitions and accompanying documents, that the petition praying the repeal of the present act of incorporation in toto, that there are only fifty-six in number. Out of that number there are only thirty-one who hold property within the limits of the corporation, and ten of that number have signed a counter petition; eighty-four in number praying the passage of the present bill. Your committee further state, that the accompanying document referred to above, is the assessment roll of the property already taxed within the said corporate limits, amounting to $159,640—of that amount your committee find that the minority petitioners only own $22,500, which shows a balance of $14,640, in favor of the act of incorporation. Your committee further state, that there are forty-eight majority petitioners, in favor of the act of incorporation. Therefore your committee report the bill back to the Senate with sundry amendments, and recommend its passage; which was read, and on motion of Mr. Ramsay, the report was received and agreed to.

Mr Cannon, from the joint standing committee on Claims, made the following report, to-wit:

Mr. President—The joint committee on Claims to whom was

referred the bill to be entitled, an act for the relief of James Wade, have had the same under consideration, and have instructed me to report the same back to the Senate, and recommend that it do not pass, and ask to be discharged from the further consideration of the same; which was read.

On motion of Mr. Cannon, the report was received.

On motion of Mr. Brooke, said report was disagreed to.

On motion of Mr. Pettus, the message received from the House of Representatives, reporting a resolution passed by said House, authorizing the Governor to return to the Governor of the State of Connecticut, the preamble and resolutions passed by the Legislature of said State, on the subject of slavery—was taken up, and said preamble and resolutions were read.

Mr. Sharkey moved that said preamble and resolutions be referred to the committee on State and Federal relations, which was lost.

On motion of Mr. White, the resolution of the House of Representatives, in relation to said preamble and resolutions, was concurred in.

Mr. Drane asked and obtained leave to introduce a bill, to be entitled an act to incorporate the town of Bankston, in the county of Chocktaw, which was read the first time.

On motion of Mr. Drane, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Drane, the rule was further suspended, the bill considered as engrossed, read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Catching asked and obtained leave to introduce a bill, to be entitled, an act to amend the 3d section of an act, entitled, an act further to amend the several laws of the State in relation to courts of probate, which was read the first time.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to-wit:

Mr. Presidfnt—The Speaker of the House of Representatives has signed bills of the following titles:

An act for the relief of James M. Cook;

An act to prevent the estate, real and personal, of James Garillo, deceased, late of Warren county, Mississippi, from escheating to the State;

An act repealing that portion of an act to reduce the expenses of the Government of the State of Mississippi, approved Feb. 14th, 1842, which provides that Tallis Jurors, shall not receive any compensation;

An act to change the name of Leroy Ann Rebecca and Elvira Hosea to Burnham;

An act to reduce the costs of criminal proceedings;

An act to amend an act entitled, an act to provide for cases

where no Executor or Administrator will qualify under a last will and testament, and undertake to carry it into effect, approved March 5, 1846;

An act for the relief of Daniel Alexander, a Revolutionary Soldier;

An act to amend the School Law of March 4, 1846, so far as the same relates to the county of Choctaw;

An act to incorporate the Pearl River Steam Navigation Company;

An act to amend an act to incorporate the Deer Creek Railroad Company, approved Feb. 11, 1848;

An act to provide for taking the sense of the people of Carroll county, on the question of annexing a portion of said county to the county of Holmes;

An act to amend an act, entitled, an act to provide for Common Schools, approved March 4th, 1848, and for other purposes, so far as relates to the county of Amite;

An act for the relief of Robert Mitchell, a Revolutionary soldier; which I am instructed to present to the Senate for the signature of the President.

The President signed the bills therein named.

The Senate proceeded to the consideration of the orders of the day, a bill to be entitled, an act for the relief of the widow of Lomax Commack, was read the the third time and passed.

A bill to be entitled, an act to amend the practice of the Court of Probates, was read the second time.

A bill to be entitled, an act to amend the 116th section of an act, approved June 28, 1822, was read the second time.

A bill to be entitled, an act to reduce the number of deputy sheriffs in Tippah county, was read the second time.

Mr. Catching moved that a committee of three be appointed on the part of the Senate, as a committee of conference on a bill to be entitled, an act to incorporate the New Orleans and Jackson Rail road Company, which was adopted.

Messrs. Catching, Guion, and Davis were appointed said committee.

A bill to be entitled, an act to reduce the number of Clerks of the two Houses of the Legislature, was read the first time.

On motion of Mr. Kennedy, the rule was suspended, and the bill read the second time by title.

Mr. Kennedy offered the following amendment to said bill, to-wit: Amend by striking out all after the enacting clause, and insert, "that the Secretary of the Senate and the Clerk of the House of Representatives shall be elected, as is now prescribed by law."

Sec. 2. *Be it further enacted*, That the salary of the Secretary of the Senate, shall be fifteen hundred dollars, and the salary of the Clerk of the House of Representatives shall be sixteen hundred

dollars, for each and every session of the Legislature: *Provided*, That sixty days be regarded as a session.

Sec. 3. *Be it further enacted*, That should the session vary in length, from sixty days, either from a shorter or longer space of time, the Secretary and Clerk shall receive a pro rata compensation of the amounts specified in the second section of this act.

Sec. 4. *Be it further enacted*, That all acts or parts of acts which provide for the appointment of additional secretaries or clerks as assistance, be, and the same are hereby repealed, and the Secretary of the Senate, and the Clerk of the House shall each be required to employ at their own expense, a sufficient number of assistants to discharge the duties insident to their office; which was adopted.

On motion of Mr. Cannon, the rule was suspended, the bill, as amended considered as engrossed, read the third time and passed.

Mr. Cannon offered the following amendment to the title of said bill, to-wit:

A bill to be entitled, an act to provide for the compensation of the Secretary of the Senate and Clerk of the House of Representatives, which was adopted.

Ordered, That the title thereof be as amended.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to-wit:

Mr. President—I am instructed by the House of Representatives, to inform the Senate, that they herewith transmit the resolutions from the State of Vermont, on the subject of slavery, as requested by the Senate.

Mr. Davis asked and obtained leave to offer the following resolution, to-wit:

Resolved, (the House of Representatives concurring,) that there will be a convention of the two Houses in the Hall of the House of Representatives, on Tuesday next, the 12th February inst, at 11 o'clock, A. M., for the election of a Senator in the United States' Congress, to fill the vacancy which will occur on the 4th day of March, 1851; and also for the election of a State Librarian and Keeper of the Capitol, which was read the first time.

The Senate again resumed the consideration of the orders of the day.

A House amendment made to a Senate bill, to be entitled, an act to establish a system of Common Schools in Yazoo City, was read, and, on motion of Mr. White, was concurred in.

A bill to be entitled, an act to amend the several laws in relation to free negroes and mulattoes, was read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to amend the several acts in relation to strays, &c., was read the third time and lost.

A bill to be entitled, an act to regulate the terms of, and pro-

ceedings in the High Court of Errors and Appeals, and for other purposes, was read the third time and lost.

Mr. Berry called for the ayes and nays thereon, which are as follows, to-wit:

Ayes—Messrs. Brooke, Davis, Guion, Reynolds, Stewart, Sharkey, Torrey, and White—8.

Nays—Mr. President, Messrs. Alcorn, Bell, Berry, Beene, Catching, Cannon, Carter, Drane, Golladay, Greer, Hughes, Kennedy, McDugald, McAfee, Pettus, Ramsay, Talliaferro, Thompson, and Tait—20.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to-wit:

Mr. President—I am instructed by the House of Representatives, to inform the Senate, that they have passed the following joint resolution, viz:

Resolved, (the Senate concurring,) that the Governor be requested to return, without comment, to the Governor of Ohio, the resolution of the Legislature of that State, upon the subject of slavery, and ask the concurrence of the Senate.

The Senate again resumed the consideration of the orders of the day.

A bill to be entitled, an act to reduce into one the several acts heretofore passed, in relation to the 16th sections, and Common Schools, so far as relates to the counties of Hinds, Madison, and Claiborne, was read the second time.

On motion of Mr. Guion, the rule was suspended, the bill considered as engrossed, read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act to appoint an inspector of Public Lands and Timbers in the State, and for other purposes, was read the second time.

On motion of Mr. White, said bill was laid on the table.

A bill to be entitled an act for the benefit of Jonathan T. Simms, was read the second time.

On motion of Mr. Brooke, said bill was ordered to be engrossed for a third reading on to-morrow.

A bill to be entitled, an act to change the time of holding the Circuit Courts in the counties of Harrison and Hancock, was read the first time.

On motion of Mr. Ramsay, the rule was suspended, and said bill read the second time by title.

A bill to be entitled, an act to authorize the respective clerks of the Vice Chancery Court of the Northern District of the State of Mississippi to perform all acts appertaining to the office of clerk, until their successors in office shall be duly qualified, was read the first time.

A bill to be entitled, an act to authorize the Board of Police of

Newton and Wayne counties, to increase the county tax, was read the first time.

A bill to be entitled, an act to authorize Abner Reeves, administrator of the estate of A. G. Hill, deceased, to deliver the same to Robert L. Render, and for other purposes, was read the first time.

A bill to be entitled, an act to incorporate the Mississippi Mutual Insurance Company, was read the first time.

On motion of Mr. Thompson, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Thompson, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Brooke called from the table, a bill to be entitled, an act to provide for the sale of the 500,000 acres of land, donated to the State of Mississippi, by the Congress of the United States, for purposes of Internal Improvement, and to repeal an act with the same title, approved Feb. 23d, 1848; which, on motion of Mr. Brooke, was referred to a committee of the whole House, and made the special order of the day for Tuesday next, at 11 o'clock, A. M.

Mr. Kennedy called up a bill to be entitled an act to authorize Abner Reeves, administrator of the estate of Albert G. Hill, deceased, to deliver the same to Robert L. Render, and for other purposes.

On motion of Mr. Kennedy, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Brooke, the Senate adjourned until to-morrow morning, 10 o'clock.

WEDNESDAY. FEBRUARY 6, 1850.

The Senate met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Stiteler.

The journal of yesterday was read.

Mr. Berry, from the committee on Enrolled Bills, made the following report, to wit:

MR. PRESIDENT—The joint standing committee on Enrolled Bills have this day examined bills of the following titles, viz:

An act to establish a system of common schools in Yazoo city;

An act to enable the commissioners appointed by an act entitled an act to remove the county seat of Sunflower county, approved March 5th, 1846, to settle their accounts as such commissioners with the board of police of said county, and for other purposes;

An act for the relief of the widow Comax Commack;

An act to incorporate the De Soto County Manufacturing Company; and found the same correctly enrolled.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

Mr. President—The House of Representatives have given leave to the introduction of bills with the following titles:

A bill to be entitled an act to repeal an act to amend and alter the militia laws of this State, passed March the 4th, 1848;

A bill to be entitled an act to repeal an act passed February 18th, 1846, to secure the owners of slaves executed by sentence of law, compensation for the same;

A bill to be entitled an act regulating the rights of unnaturalized females residing in the State of Mississippi;

A bill to be entitled an act regulating the payment of the fees of clerks and returning officers of presidential elections, and grand jurors and bailiffs in the circuit courts, and for other purposes;

A bill to be entttled an act to incorporate the Salem High School Association, in Greene county;

A bill to be entitled an act to provide for the payment of jurors;

A bill to be entitled an act requiring the boards of police to examine and review the roads;

A bill to be entitled an act to repeal part of an act to regulate the practice in the circuit courts, approved Feb. 22d, 1840;

A bill to be entitled an act to repeal the act approved March 4th, 1846, to divide the State into congressional districts, and for other purposes;

A bill to be entitled an act to change the mode of electing the reporter of the decisions of the High Court of Errors and Appeals of this State;

A bill to be entitled an act to change the time of the meeting of the Legislature of the State of Mississippi;

A bill to be entitled an act to establish common schools in the county of Holmes;

A bill to be entitled an act to make real estate liable to execution and sale under judgments obtained before justices of the peace in this State, as far as the same is now subject to judgments in the courts of record.

The House of Representatives have passed bills with the following titles:

A bill to be entitled an act to authorize the clerks of the circuit courts of the counties of Hinds and Greene to make a full and complete record of all final judgments now unrecorded, and to prepare indexes for the minute books and dockets of said courts;

A bill to be entitled an act to limit the amount of county tax in the county of Greene;

A bill to be entitled an act to repeal an act to establish a system of common schools, and for other purposes, approved 4th of March,

1846, so far as relates to the county of Attala, and for other purposes.

A bill to be entitled an act to amend an act entitled an act to annex to the county of Adams, township number eight, of range two west, to township number eight, of range three west, and for other purposes.

A bill to be entitled an act to change the name of James Irving Mills, to that of James Irving Ruff.

A bill to be entitled an act declaring Yallobusha river a navigable stream;

A bill to be entitled an act to establish a ferry across the back bay of Biloxi, and for other purposes;

In which I am instructed to desire the concurrence of the Senate.

Mr. Beene, from the committee on Engrossed Bills, made the following report, to wit:

MR. PRESIDENT—The committee on Engrossed Bills have examined bills of the following titles, to wit:

A bill to be entitled an act to amend and reduce into one the several acts in relation to the revenue of this State;

A bill to be entitled an act for the relief of Jonathan T. Simms, clerk of the Superior Court of Chancery;

A bill to be entitled an act to repeal an act entitled an act amendmendatory of the laws for the relief of the poor;

And have found the same correctly engrossed.

Mr. Ramsay, from a select committee, made the following report, to wit:

MR. PRESIDENT—The select committee to whom was referred the bill to incorporate the town of Biloxi, have had the same under consideration, and have instructed me to report the bill back to the Senate, with the following amendments:

Amend section first by striking out the words "Major John Mountfort," and insert, in lieu thereof, "Lewis A. Callant."

Amend section third by striking out, in the sixth line, the word "two," and insert "one."

Amend section fifth by inserting, after the words "dispose of," the following, to wit: "*Provided*, that the value of all the property owned by said corporation shall not exceed twenty thousand dollars."

Amend section eighth by striking out the whole of said section, and insert, in lieu thereof, the following amendment, to wit:

"That one or more justices of the peace shall be elected by the qualified electors of the district in which said incorporation is situated, whose duty it shall be to issue all process necessary to carry into effect all ordinances, judgments and decrees of the said board of selectmen: and, in case there be no constable elected and qualified in said corporation or district, it shall be the duty of the sheriff of said county to execute and return all process issued by

said justice or justices, under the penalty of the law now in force for failing to execute process."

Amend section ninth by inserting, in the fourth line, in place of the word "president," the following, to wit: "Justice of the peace in said district or corporation." Also, line ten, by striking out the word "might," and insert the word "may." Also, line twelve, by inserting, after the word "president," the words "and selectmen."

Amend by striking out section fourteenth.

Which was read, and, on motion of Mr. Ramsay, was received and agreed to.

Mr. Guion presented the petition of Messrs. J. K. Jefferson and C. S. Tarpley; which, on motion of Mr. Guion, was referred to the committee on Claims.

Mr. Tait asked and obtained leave to introduce a bill to be entitled an act to authorize John D. Hudson to make a turnpike road in the county of Tunica; which was read the first time.

On motion of Mr. Tait, the rule was suspended and the bill read the second time by title.

On the further motion of Mr. Tait, the rule was further suspended, the bill considered as engrossed, read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Davis asked and obtained leave to introduce a bill to be entitled an act to remedy defects in drawing juries in Amite county; which was read the first time.

On motion of Mr. Davis, the rule was suspended and the bill read the second time by title.

On the further motion of Mr. Davis, said bill was referred to the committee on the Judiciary.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

Mr. President—I am instructed by the House of Representatives to inform the Senate that they have concurred in the reference made by the Senate appointing a committee of conference on a bill to be entitled an act to incorporate the New Orleans and Jackson Railroad Company, and have appointed as said committee, on the part of the House, Messrs. Barry, Arthur, Nabors, Hall and Weathersby.

Mr. Stewart asked and obtained leave to introduce a bill to be entitled an act concerning process of circuit court of Adams county, and for other purposes; which was read the first time.

On motion of Mr. Stewart, the rule was suspended and the bill read the second time by title.

On the further motion of Mr. Stewart, said bill was ordered to be engrossed for a third reading on to-morrow.

Mr. Torrey asked and obtained leave to offer the following resolution, to wit:

Resolved, (the House concurring,) That the State treasurer be

authorized to close his office from three o'clock to five o'clock, P. M., during the sitting of the joint standing committee on accounts, charged with the examination of said office.

Which was read the first time.

On motion of Mr. Torrey, the rule was suspended and the resolution read the second time and adopted.

Mr. Pettus, from a select committee, made the following report, to wit:

MR. PRESIDENT—The select committee to whom was referred a memorial to the Congress of the United States, praying the cession of certain public lands to aid the completion of the Mobile and Ohio railroad, have had the same under consideration, and instructed me to report the same back to the Senate, without amendment, and recommend its passage.

Which was read, and, on motion of Mr. Pettus, was received and agreed to.

On motion of Mr. Pettus, the rule was suspended and the memorial therein reported, to be entitled a memorial of the Legislature of Mississippi to the Congress of the United States, now in session, praying the cession of certain lands to aid in the construction and completion of the Mobile and Ohio railroad, was read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Carter asked and obtained leave to call up a bill to be entitled an act to provide for leasing the Penitentiary of the State of Mississippi.

On motion of Mr. Guion, the rule was suspended and the bill read the second time by title.

On motion of Mr. Carter, said bill was referred to a committee of the whole House, and made the special order of the day for to-morrow, at 10 o'clock, A. M.

The Senate proceeded to the consideration of the orders of the day, and resolved itself into committee of the whole on a bill to be entitled an act to amend and reduce into one the several acts in relation to the revenue of this State, and for other purposes, approved March 5th, 1846, Mr. Guion in the chair; and, after some time spent therein, the committee rose, and Mr. Guion reported said bill back to the Senate, without amendment, and recommended its passage.

On motion of Mr. Guion, the report was received and agreed to.

On motion of Mr. Pettus, the rule was suspended, the bill read the third time and passed.

Ordered, that the title thereof be as stated.

A bill to be entitled an act to amend the practice in the courts of probate, was read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to amend the one hundred and six-

teenth section of an act approved June 28th 1822, was read the third time and lost.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

MR. PRESIDENT—The House of Representatives have passed a bill of the following title, viz:

An act for the benefit of the Yazoo Female Academy;

In which I am instructed to desire the concurrence of the Senate.

The Senate again resumed the consideration of the orders of the day:

A bill to be entitled an act to reduce the number of deputy sheriffs in Tippah county, was read the third time.

On motion of Mr. Berry, said bill was laid on the table.

A bill to be entitled an act to change the time of holding the circuit courts in the counties of Harrison and Hancock, was read the second time.

On motion of Mr. Ramsay, the rule was suspended, the bill read the third time and passed.

Ordered, that the title thereof be as stated.

A bill to be entitled an act to authorize the respective clerks of the Vice Chancery Court of the Northern District of the State of Mississippi to perform all acts appertaining to the office of clerk, until their successors in office shall be duly qualified, was read the second time.

On motion of Mr. Greer, the rule was suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to authorize Abner Reeves, administrator of the estate of A. G. Hill, deceased, to deliver the same to Robert L. Render, and for other purposes, was read the second time.

On motion of Mr. Kennedy, said bill was referred to a select committee of three.

Messrs. Kennedy, Brooke and White were appointed said committee.

A bill to be entitled an act to amend the several laws of this State in relation to common schools, so far as relates to Chickasaw county, was read the first time.

On motion of Mr. Cannon, the rule was suspended and the bill read a second time by title.

On the further motion of Mr. Cannon, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act for the benefit of the sheriff of Washington county, was read the first time.

On motion of Mr. White, the rule was suspended and the bill read the second time by title.

Mr. Guion offered the following amendment to said bill, to wit:

Amend by inserting the words, after the word "directed," "each subpœna for witnesses;" which was adopted.

On motion of Mr. White, the rule was further suspended, the amendment considered as engrossed with the bill, the bill read the third time, as amended, and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to declare Lake Henry and Turkey bayou navigable, was read the first time.

Mr. Kennedy, from a joint select committee, made the following report, to wit:

Mr. President—The joint select committee, appointed by the Senate and House of Representatives, to examine the report of the committee made under an act entitled "an act to provide for a committee for the examination of the books of the Auditor of Public Accounts, Treasurer, and Executive Department of the State, and for other purposes," approved March the 4th, 1848, and to report what action should be taken thereon, have had the report and books of said committee under consideration, and have instructed me to report the general results of the examination, so far as it was made by said committee. They have given a detailed statement of every thing connected with the papers and books of the offices examined. James R. Young is found to be due the State a balance of $2 45, on account of the sinking fund. The sum total paid into the Treasury on account of this fund, up to March 3d, 1849, is $144,177 41⅔. The statement shows that H. D. Mandeville, Esq., has received out of this fund, for fees and commissions, $13,417 88. James R. Young received on account of the literary fund, the sum of $346 00, which was appropriated to the payment of his salary. He also received on final dividend of stock of the State in the Bank of the State of Mississippi, $300 00, which was appropriated to the payment of his salary. The report gives full statement of James R. Young's account with the town lot fund, showing a debit of $24,547 85, and a credit of $24,547 86½. The report shows that Morgan McAfee, commissioner of the seminary fund, purchased out of that fund 1107 acres of land lying in Hinds and Yazoo counties. James R. Young, State Commissioner, appears to be charged with $8,973 82⅔ on account of the seminary fund, and credited with that amount. Thomas F. Collins appears to have received notes for collection, principal and interest, $8,332 06½, belonging to the town lot fund. He is credited with $6,379 29½, leaving a balance in his hands in favor of this fund, of $1,952 77, which was settled by an act of the Legislature, approved January 26, 1846. The firm of Mason & Shelton, it appears received for collection notes belonging to this fund, principal and interest, amounting to $53,617 10. They are credited with $40,473 97, leaving a balance due by them of $13,143 12½. John N. Drake, Esq., it appears, received for collection, notes belonging to the same fund,

principal and interest amounting to $4,561 39. He is credited with $2,510 14⅜, leaving a balance due the fund by him, of $2,051 24½.

Messrs. Dunlap and Hughs are charged with $8,380 98 amount of notes received for collection on account of this fund—they are credited with $3,668 06—leaving a balance due by them of $4,712 92.

Messrs. Patton and Collins received of this fund for collection, notes with interest, amounting to $6,656 08, they are credited with $4,781 38, leaving a balance against them of $1,874 70, which the statement of the committee shows, was settled by an act of the legislature, approved 26th January, 1846. Said committee have made a statement of notes received by H. G. Runnels, when Governor, and by him deposited in the Planters' Bank at Natchez, as collateral security for a note of $10,000 00, discounted by said Bank, July 28th, 1835, for the use of the State; amount of said notes is $10,362 33, credited with $1,243 14, leaving a balance of $9,119 19, of which, the committee say "it appears that these notes were placed in the hands of Eli Houston for collection by the Planters' Bank, that he died soon thereafter, and the suits were prosecuted and money collected by Robert Hughes, esq., and suit is now pending against him for the same." It appears that T. J. Coffee received of this fund, notes for collection, to the amount of $3,282 00, and is credited by $3,083 60, leaving a balance of $198 40, which appears by endorsement of J. H. Mallory, to have been subsequently paid. D. Greenlief received a note of $185 for collection, and is credited with that amount. George Work, esq., received notes for collection on account of said fund, amounting to $152,057 66⅔. The statement shows that of that amount, he collected $17,042 14, out of which was allowed or reserved $12,051 63, for commissions, and he also paid C. M. Price for publishing notices $383 50, making his credits $12,435 13, leaving a balance due the State of $4,607 01.

The committee have made out a full and complete statement, contained in a book marked 3, showing the condition of each and every note belonging to the Sinking Fund, and not paid into the State Treasury. This statement is so voluminous that your committee could not examine it and give the information detailed in it, without great and unnecessary labor. The said committee have made a statement of notes received by A. G. McNutt, when Governor, and discounted in the Union Bank, amounting to $25,106 66⅔, with which amount he is credited. They have also given a statement of the sale of lots in the city of Jackson, made by the State Treasurer and Auditor of Public Accounts, on the 1st of July, 1844, amounting to $10,533 00, and which amount is accounted for by said officers. George Work, esq., it appears, has received notes belonging to the Seminary Fund, amounting to $151,800 70, he is credited by amount of notes accounted for, &c., $43,429 07, the

statement shows that he collected $32,169 39⅓, and received by him from Morgan McAfee, commissioner, $3,214 92, amounting to $35,384 31, after deducting his commissions for collecting, there will be left in his hands $1,608 46, the whole amount of which he has appropriated to his own use as fees for his professional services, and "has now in his hands notes, amounting to $108,371 63." It appears from "slips of paper found in the Auditor's office, purporting to be accounts between the State and individuals, and companies who had redeemed land from the State," as seen by the statement of said committee, that James E. Matthews, late Auditor, received on the account of redemption of lands $20,670 77¼, he is credited with amount paid into the Treasury $17,871 84, leaving due the State $2,798 93.

It appears by a book kept by said late Auditor, that he received on the some account, $1,139 76; there is also an error in favor of the State of $47 19½, making the aggregate amount of James E. Matthews' default to the State, $3,935 88¾. The said committee have furnished a detailed statement of the examination of the Auditor's office, up to the 25th of January, 1844; also, a statement of the errors detected; which statement your committee will not be able to examine minutely, or to report upon fully and accurately, and therefore will not attempt it.

The statement of the examiniation of the books and accounts, and voucheas, belonging to the Penitentiary, shows that an error existed in Joseph Mosely superintendent's account, of moneys received by him, of $10 00, which has been since accounted for by him.

J. W. Wade, late superintendent, is ascertained to be in default, $97 03, being errors and omissions in reporting the various monthly sales of the various shops in the institution.

B. G. Weir, a late superintendent, is also reported, as being in default $68 31.

The receipts of the Penitentiary, from its own resources, from the year 1842, to the 30th November, 1848, appear to have been $88,849 58½; and the disbursements during the same period, out of its own resources, $88,635 29 showing the amount of receipts over disbursements, of $214 29½. During the same period the sum of $80,716 17½ was drawn from the State Treasury, for the use of the Penitentiary.

Said committee examined the vouchers and entries in the journal of the Treasurer's office, of the administration of William Clark, late Treasurer, and he was found to be due the State $180 74; which arose from errors in his accounts, and which amount was immediately paid by him into the State Treasury.

I am further instructed by the joint select committee, to state, that the said examining committee continued their examination of the offices, specified in the act, under and by which they were appointed, for six months, as appears by their books and report, and

that they failed to complete the entire work required by said act, in the Auditor's and Treasurer's office; and also did not enter on an examination of the Executive office for the want of time.

The joint committee of the two Houses can see no public good to be effected, by a continuation of the investigation, which will be commensurate with the expense it will be to the State. They know no action that the Legislature can take, with reference to the disclosures and information, contained in the books and report of said committee, as the laws of the State now provide ample remedies for the injuries herein shown to have been inflicted upon the State.

They therefore recommend, that the books and report of said committee, be deposited for safe keeping and future reference, in the Auditor's office, and that this report be spread upon the journals, and that 500 copies of the same be published, for the use of the Senate. A similar report has been made to the House of Representatives, all of which is respectfully submitted.

BEN. KENNEDY, Chairman.

JAMES W. WADE, *late Superintendent State Penitentiary*,

TO THE STATE OF MISSISSIPPI, *Dr.*

For this amount, being for error discovered in his accounts as superintendent, by the legislative committee, under act approved March 4th, 1848—(See Acts 1848, page 137).....	$97 03

TREASURY DEPARTMENT,

To JAMES W. WADE, *late Superintendent, &c.*, *Dr.*

For received of Warrant No. 148, in his favor, for ninety-seven dollars and three cents, on account of the Penitentiary, per vouchers filed.....	$97 03

GEO. T. SWANN,
Auditor of Public Accounts.

AUDITOR'S OFFICE,
Jackson, February 6, 1850.

[$97 03] STATE OF MISSISSIPPI,
Office of State Treasurer, Jackson.

Received, of James W. Wade, late Superintendent of the State Penitentiary, ninety-seven dollars and three cents, in full of Auditor's receipt warrant No. 148, dated *February 6th*, 1850, in his favor, on account of *the* Penitentiary Department, this *6th day of February A. D.* 1850.

RD. GRIFFITH,
State Treasurer.

FISCAL YEAR, 1849.

On motion of Mr. Kennedy, the report was received and agreed to.

On motion of Mr. Cannon, five hundred copies of said report were ordered to be printed for the use of the Senate.

A bill to be entitled an act to authorize the school trustees of township four, of range three west, in Hinds county, to execute a lease or leases to Henry D. Gibbs, for ninety-nine years, for certain portions of sixteenth section therein, was read the first time.

On motion of Mr. Guion, the rule was suspended and the bill read the second time by title.

Mr. Guion offered the following amendment to said bill, to wit:

Amend by striking out of the sixth line the words "southeast half," and insert "southeast quarter;" which was adopted.

On the further motion of Mr. Guion, the rule was further suspended, the bill, as amended, read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to change the name of Mary Ann Eliza Legion, to that of Mary Ann Eliza McAllister, and for other purposes, was read the first time.

A bill to be entitled an act for the relief of Elihu Nooner, was read the first time.

On motion of Mr. Berry, the rule was suspended and the bill read the second time by title.

On the further motion of Mr. Berry, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act for the benefit of Jonathan T. Simms, was read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to limit the liens of judgments from justices courts, was read the second time.

Mr. Brooke offered the following amendment, as a substitute for said bill, to wit:

An act to regulate the liens of judgments rendered by justices of the peace:

Section 1. *Be it enacted by the Legislature of the State of Mississippi*, That hereafter no judgment rendered by any justice of the peace, in this State, shall be a lien upon the property of the defendant or defendants therein, until the same is enrolled in the clerk's office of the circuit court of the county wherein said judgment is rendered.

Sec. 2. *Be it further enacted*, That it shall be the duty of the clerks of the several circuit courts of this State to keep a judgment roll docket, for the purpose aforesaid, wherein shall be enrolled all judgments rendered by justices of the peace in their respective counties, under the same regulations as are now prescribed by law for enrolling judgments of the circuit courts; and for every judgment so enrolled the clerk shall be entitled to receive a fee of fifty cents.

Sec. 3. *Be it further enacted*, That the lien of all judgments heretofore rendered by justices of the peace shall cease to operate unless the same are enrolled by the fourth day of July next, and if enrolled after that time, the lien shall exist only from the date of said enrollment.

Sec. 4. *Be it further enacted*, That the judgments specified in the first section of this act shall be enrolled within ten days after

their rendition, otherwise their lien shall date only from the date of their enrollment.

Sec. 5. *Be it further enacted*, That this act shall be in force from and after the first day of April next.

Which was lost.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

Mr. President—The House of Representatives have passed bills with the followrng titles:

An act to amend an act entitled an act to increase the fees of certain officers in the county of Coahoma;

An act to amend an act entitled an act to amend an act reduciug the fees of certain officers therein named, approved 10th February, 1844, so far as it relates to the counties of Harrison, Washington and Tunica, approved February 24th, 1848;

A bill to be entitled an act extending the privileges of the act of February 10th, 1848, entitled an act extending certain privileges to Masons, Odd Fellows, Sons of Temperance, Literary, Benevolent, and other societies and companies, to certain associations not included within the terms of said act;

In which I am instructed to desire the concurrence of the Senate.

The Senate again resumed the consideration of the orders of the day;

A bill to be entitled an act to remove the civil disabilities of Lewis S. Jones, of the county of Hinds, was read the first time.

A bill to be entitled an act for the relief of James W. Wade, was read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to repeal an act entitled an act amendatory of the laws for the relief of the poor, was read the third time and lost.

A resolution in relation to the election of United States Senator, and Librarian and Keeper of the Capitol, was read the second time.

Mr. Bell moved to lay said resolution on the table; which was lost.

Mr. Greer moved to amend said resolution by striking out "next Tuesday," and inserting "next Tuesday week;" which was lost.

The vote was then taken on the adoption of said resolution; which was decided in the affirmative.

A bill to be entitled an act to provide for the purchase of two hundred and fifty copies of Smedes' Digest, was read the first time.

A bill to be entitled an act to incorporate the town of Shieldsborough, and for other purposes, was read the first time.

On motion of Mr. Ramsay, said bill was ordered to be engrossed for a third reading on to-morrow.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

MR. PRESIDENT—The House of Representatives have passed a bill of the following title, viz:

A bill to be entitled an act to provide for the erection, repair and preservation of levees on the Mississippi river, in the county of Issaquena;

In which I am instructed to desire the concurrence of the Senate.

Mr. White asked and obtained leave to call up a bill to be entitled an act for the benefit of Yazoo Female Academy; which was read the first time.

On motion of Mr. White, the rule was suspended and the bill read the second time by title.

On the further motion of Mr. White, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Berry, from the committee on Enrolled Bills, made the following report, to wit:

MR. PRESIDENT—The joint committee on Enrolled Bills have this day presented to his Excellency, the Governor, for his approval and signature, bills of the following titles, to wit:

An act for the relief of Robert Mitchell, a revolutionary soldier;

An act to amend an act entitled an act to provide for common schools, approved 4th March, 1848, and for other purposes, so far as relates to the county of Amite;

An act to provide for taking the sense of the people of Carroll county on the question of annexing a portion of said county to the county of Holmes;

An act to amend an act to incorporate the Deer Creek Railroad Company, approved February 11th, 1848;

An act to amend the school law of March 4th, 1846, so far as the same relates to the county of Choctaw;

An act to incorporate the Pearl River Steam Navigation Company;

An act to amend an act entitled an act to provide for cases where no executor or administrator will qualify under a last will and testament, and undertake to carry it into effect, approved March 6th, 1846;

An act for the relief of Daniel Alexander, a revolutionary soldier;

An act to change the name of Levy Ann Rebecca and Elvira Hosea, to that of Burnham;

An act for the relief of James M. Cook;

An act repealing that portion of an act to reduce the expenses of the government of the State of Mississippi, approved February 14th, A. D. 1842, which provides that tallis jurors shall not receive any compensation;

An act to reduce the costs of criminal proceedings;

An act to prevent the estate, real and personal, of James Garillo, deceased, late of Warren county, Mississippi, from escheating to the State.

Mr. Singleton asked and obtained leave to introduce a bill to be entitled an act to amend an act entitled an act to authorize the sale of lands belonging to the Sinking Fund, and for other purposes, approved February 16th, 1846; which was read the first time.

On motion of Mr. Singleton, the rule was suspended and the bill read the second time by title.

On the further motion of Mr. Singleton, said bill was ordered to be engrossed for a third reading on to-morrow.

On motion of Mr. Brooke, the Senate adjourned until to-morrow morning at 10 o'clock.

THURSDAY, FEBRUARY 7, 1850.

The Senate met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Henderson.

The journal of yesterday was read.

Mr. Catching, from a select committee, made the following report, to-wit:

MR. PRESIDENT—The joint committee of Conference, to whom was referred the disagreement between the two Houses, on the bill to incorporate the New Orleans and Jackson railroad company, have had the same under consideration, and have instructed me to report the following amendment: Strike out the 20th section and insert in lieu thereof:

"*Be it further enacted*, That upon the requisition of the commissioners appointed by the 4th section of this act, or a majority of them, the sum of two thousand dollars shall be paid form the treasury of the State, out of any money belonging to the internal improvement fund, not otherwise appropriated, for the purpose of making the necessary estimates and surveys of said road; and the said commissioners shall report to the Governor of this State the manner in which the said sum shall have been expended, with the proper vouchers therefor, and in any further distribution of the internal improvement fund, said sum shall be deducted from the distributive share of the counties through which said road shall pass; which was read, and, on motion of Mr. Catching, the report was received and agreed to.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to-wit:

MR. PRESIDENT—The House of Representatives has passed bills of the following titles, to-wit:

A bill to be entitled, an act for the relief of the Trustees of School and School Lands, in township No. 10, of range No. 1 east, of the basis meridian, and west of Pearl river, and for other purposes;

An act to declare Dog river in the county of Jackson, a navigable stream;

A bill to to amend an act entitled, an act to reduce the per diem allowance of the Board of Police of Jackson county;

A bill to be entitled, an act to abolish the per diem pay of the Judges of Probate, and members of the Board of County Police of Jones county, and for other purposes;

A bill to be entitled, an act to reduce the bonds of sheriffs and coroners in the counties of Neshoba, Leake, and Newton;

A bill to be entitled, an act to amend an act to incorporate the Canton and Jackson Railroad Company, opproved Feb. 1, 1841, and passed Feb. 7, 1848;

A bill to be entitled, an act to incorporate Madison Division No. 19, Sons of Temperance, in the town of Canton, Madison county;

A bill to be entitled, an act to amend an act to reduce the fees of certain officers therein named, approved Feb. 10, 1844, so far as relates to the county of Madison;

A bill to be entitled, an act to assess the number of Cotton Bales made in the State of Mississippi, in each and every year;

A bill to be entitled, an act for the relief of O. P. Casey;

A bill to be entitled, an act to extend the time of holding the Probate Court of Panola county;

A bill to be entitled, an act to authorize the Treasurer of the county of Rankin to distribute certain money therein named;

A bill to be entitled, an act for the benefit of Oscar Glenalvin Wadsworth, of Simpson county.

A bill to be entitled, an to change the time of holding the Probate Court in the county of Tippah;

A bill to be entitled, an act to regulate the Probate Court in Scott county; in which I am instructed to desire the concurrence of the Senate.

The House of Representatives have concurred in the joint resolutions of the Senate, authorizing the State Treasurer to close his office from three o'clock to five o'clock, P. M., during the sittings of the joint standing committee on accounts charged with the examination of said office; and have given leave to the introduction of bills with the following titles:

A bill to be entitled, an act supplemental to an act entitled an act to amend the laws now in force concerning the laying out of Roads, and for other purposes, approved Feb. 14, 1849;

A bill to be entitled, an act further to endow the University of Mississippi:

A bill to be entitled, an act for the relief of purchasers at Tax Sales;

A bill to be entitled an act to exempt from military duty the First and Second Mississippi Regiments and the Mississippi Battalion;

A bill to be entitled, an act to locate permanently the seat of justice of Monroe county;

A bill to be entitled, an act disposing of the share of the State in the proceeds of the sales of Public Lands hitherto refused by this State;

A bill to be entitled, an act to amend the Probate Court Laws of this State;

A bill to be entitled, an act respecting the competency of witnesses;

A bill to be entitled an act to amend the law in relation to divorce;

A bill to be entitled, an act to repeal the forthcoming Bond Law;

A bill to be entitled, an act to change the Revenue Laws of the State of Mississippi, so far as the same relates to the county of Oktibbeha;

A bill to be entitled, an act to repeal an act passed February 14, 1839, requiring the Secretary of State to cause the Constitution to be inserted in the Session Acts;

A bill to be entitled, an act to provide for the appointment of Patrols;

A bill to be entitled, an act to enable the counties through which the Mobile and Ohio Railroad may pass, or which may be contiguous to the same, to subscribe for and hold stock in the same, and for other purposes;

A bill to be entitled, an act for the equalizing of the Stray Laws.

The House of Representatives have passed a Senate bill to be entitled an act for the relief of Thomas Archibald Reid; and have made amendments thereto, in which I am instructed to desire the concurrence of the Senate.

Mr. Guion, from the Judiciary committee, made the following report, to-wit:

Mr. President—The standing committee to whom was referred a bill to be entitled, an act to amend the laws in relation to the change of venue in criminal cases, have had the same under consideration, and instructed me to report said bill without amendment, and recommend that it do not pass; which was read.

On motion of Mr. Guion, the report was received.

On motion of Mr. Cannon, the report was agreed to.

Mr. Brooke, from the committee on the Judiciary, made the following report, to-wit:

Mr. President—The judiciary committee to whom was referred a House bill to be entitled an act to regulate the liens of judgments rendered by justices of the peace, have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that all after the enacting clause be striken out, and the accompanying bill be inserted in lieu thereof; which amendment is as follows, to-wit:

A bill to be entitled, an act to regulate the lien of Judgments rendered by Justices of the Peace.

Sec. 1. *Be it enacted by the Legislature of the State of Mississippi,* That from and after the first day of April next ensuing, no judgment rendered by a justice of the peace, shall operate as a lien on the property of defendant or defendants, until the same shall be enrolled in the clerk's office of the circuit court of the county wherein said judgment is rendered, in the same manner as judgments of the circuit court are now by law required to be enrolled; and if said enrollment is made within ten days after the rendition of said judgment, the lien of said judgments shall date from the date of the judgment, otherwise from the date of the enrollment only.

Sec. 2. *Be it further enacted,* That the lien of all judgments heretofore rendered by justices of the peace, or which may be rendered before the first day of April next, shall cease to operate after that period, unless the same are enrolled under the provisions of this act; and the lien of all such judgments shall date only from their enrollment.

Sec. 3. *Be it further enacted,* That it shall be the duty of the clerks of the circuit courts to keep a separate enrollment docket for the purposes aforesaid, and for every judgment enrolled, under this act, the clerk shall be entitled to a fee of fifty cents, to be paid by the plaintiff or person requiring the service.

Which was read, and, on motion of Mr. Brooke, the report was received and agreed to.

Mr. Sharkey, from the committee on Propositions and Grievances, made the following report, to-wit:

Mr. President—The committee on Propositions and Grievances, to whom was referred the memorial of sundry citizens of Copiah county, praying the State of Mississippi to relinquish all claim, by escheat, to the real estate of Martin Burke, late of said county, deceased, in favor of the heirs to the personal property of the said Martin Burke, have had the same under consideration and have instructed me to report the following bill and recommend its passage; which was read, and, on motion of Mr. Sharkey, the report was received and agreed to, and the bill therein reported, to be entitled, an act relinquishing the claim of the State of Mississippi, by escheat, in and to the real estate of Martin Burke, late of Copiah county, deceased, in favor of the heirs capable of inheriting the personal property of said decedent, was read the first time.

Mr. Bell presented the claim of Joel Pierson and others, which, on motion of Mr. Bell, were referred to a select committee of five.

Messrs. Bell, Greer, Berry, Beene, and Thompson were appointed said committee.

Mr. Beene, from the committee on the Judiciary, made the following report, to-wit:

Mr. President—The committee on the Judiciary to whom was referred a bill to be entitled, an act amendatory of the laws relative to divorce, have had the same under consideration, and have

instructed me to report said bill without amendment, and recommend that the same do pass; which was read, and, on motion of Mr. Beene, the report was received and agreed to, and the bill therein reported, to be entitled, an act amendatory of the laws relative to divorce, was read the second time.

Mr. Beene, from the committee on Engrossed Bill, made the following report, to-wit:

Mr. President—The committee on Engrossed Bills have examined bills of the following titles, to-wit:

A bill to be entitled, an act concerning process of the Circuit Court of Adams county, and for other purposes;

A bill to be entitled, an act to amend an act entitled an act to authorize thesale of Lands belonging to the Sinking Fund, and for other purposes, approved Feb. 16, 1846;

A bill to be entitled, an act to incorporate the town of Shieldsborough, and for other purposes; and have found the same correctly engrossed.

The President presented to the Senate the claims of Dr. W. B. Dozier, and others, of Jasper county, which was read, and on motion of Mr. McDugald, was referred to the committee on Claims.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to-wit:

Mr. Presidfnt—The Speaker of the House of Representatives has signed bills of the following titles, to-wit:

An act to incorporate the Mississippi Mutual Insurance Company;

An act to incorporate the Yazoo and Big Black Plank Road Company, and for other purposes;

An act to incorporate the Columbus Mutual Insurance Company;

Which I am instructed to present to the Senate for the signature of the President.

The President signed the bills therein named.

Mr. Brooke asked and obtained leave to introduce a bill, to be entitled, an act to amend an act, approved Feb. 24, 1844, entitled, an act to insure the collection of jury tax fees, and for other purposes, which was read the first time.

On motion of Mr. Brooke, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Brooke, said bill was referred to the committee on the Judiciary.

Mr. White asked and obtained leave to introduce a bill to be entitled, an act to authorize the board of police for the county of Issaquena to assign hands to work on Deer creek, which was read the first time.

On motion of Mr. White, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. White, said bill was ordered to be engrossed for a third reading on to-morrow.

Mr. Thompson asked and obtained leave to introduce a bill to be entitled, an act to change the mode of obtaining license to peddle, and for other purposes, which was read the first time.

The Senate proceeded to the consideration of the orders of the day:

A bill to be entitled, an act to limit the liens of judgments from Justices' Courts, was read the third time.

On motion of Mr. Brooke, said bill was laid on the table.

A bill to be entitled, an act to incorporate the town of Shieldsborough, and for other purposes, was read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to declare Lake Henry and Turkey Bayou navigable, was read the second time.

On motion of Mr. Brooke, the rule was suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

On motion of Mr. Carter, the Senate took up the special orders set for this hour, and resolved itself into committee of the whole, on a bill to be entitled, an act to provide for leasing the Penitentiary of the State of Mississippi, Mr. White in the Chair; and after some time spent therein, the committee rose, and Mr. White reported progress, and asked leave to set again on to-morrow at 11 o'clock, A. M.

On motion of Mr. White, the report was received and agreed to.

The following message was received from his Excellency the Governor, through his private Secretary, Mr. McDonald, to-wit:

Mr. President—I am instructed by his Excellency the Governor, to inform the Senate that he has approved and signed bills of the following titles, to-wit:

An act to amend an act entitled, an act to provide for Common Schools, approved 4th March, 1848, and for other purposes, so far as relates to the county of Amite;

An act to provide for taking the sense of the people of Carroll county, on the question of annexing a portion of said county to the county of Holmes;

An act for the relief of Daniel Alexander, a Revolutionary Soldier;

An act for the relief of Robert Mitchell, a Revolutionary Soldier;

An act to amend the School Law of March 4, 1846, so far as the same relates to the county of Choctaw;

An act to incorporate the Pearl River Steam Navigation Company;

On motion of Mr. Hodges, the Senate adjourned until to-morrow morning 10 o'clock.

FRIDAY, FEBRUARY 8, 1850.

The Senate met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Russell.

The journal of yesterday was read.

The President presented to the Senate a communication from the Auditor of Public Accounts, asking the advice of the Legislature in relation to the claim of Hon. E. Turner; which was read, and on motion of Mr. Stewart, was referred to the Judiciary committee.

Mr. Berry, from the committee on Enrolled Bills, made the following report, to-wit:

MR. PRESIDENT—The joint standing committee on Enrolled Bills have this day examined bills of the following titles, viz:

An act to incorporate the Yazoo and Big Black Plank Road company, and for other purposes;

An act to incorporate the Mississippi Mutual Insurance company;

An act to incorporate the Columbus Mutual Insurance company;

An act to amend the practice of the courts of Probate;

An act to change the time of holding the Circuit courts in the counties of Harrison and Hancock;

An act for the benefit of Elihu Nooner;

An act to authorise the respective clerks of the Vice Chancery court of the Northern District of the State of Mississippi to perform all acts appertaining to the office of clerk, until their successors in office shall be duly qualified;

An act for the benefit of the Yazoo Female academy;

An act declaring Lake Henry and Turkey Bayou navigable streams;

An act to amend the several laws of this State in relation to common schools, so far as relates to Chickasaw county;

An act to authorise the school trustees of Township 4, Range 3 west, in Hinds county, to execute a lease, or leases, to Henry D. Gibbs for ninety-nine years, for certain portions of sixteenth section therein named;

And have found the same correctly enrolled.

Mr. Beene, from the committee on Engrossed Bills, made the following report, to wit:

MR. PRESIDENT—The committee on Engrossed Bills have examined a bill to be entitled an act to authorise the Board of Police for the county Issaquena to assign hands to work on Deer Creek, and have found the same correctly engrossed.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to-wit:

MR. PRESIDENT—The House of Representatives have passed bills with the following titles, to-wit:

A bill to be entitled an act relative to drawing jurors in the county of Amite;

A bill to be entitled an act to amend an act reducing the fees of certain officers therein named, approved February 10, 1844, so far as the same relates to the county of Claiborne;

A bill to be entitled an act to relinquish of the State of Mississippi, by escheat to the estate of Antoine Martin, deceased, to the heirs and legal representatives of John Wixon deceased, and for other purposes;

A resolution of the Legislature of the State of Mississippi in relation to celebrating the 22d of February, instant, and have appointed as a committee on the part of the House, under the above resolution, Messrs. Henry, Harry, Estelle, Mott and Arthur.

In which I am instructed to desire the concurrence of the Senate.

The House of Representatives have concurred in the joint resolution of the Senate, setting apart Tuesday next, the 12th inst., for the assemblage of the two Houses in the Representative hall, to the end that the two Houses go into an election of a Senator of the United States, and also State Librarian and Keeper of the Capitol; and have passed a Senate bill entitled an act for the relief of Helen G. Johnson, a minor, of Madison county.

The Speaker of the House of Representatives has signed an act for the relief of Lomax Commack;

An act to enable the commissioners appointed by an act entitled an act to remove the county seat of Sunflower county, approved March 6th, 1846, to settle their accounts as such commissioners with the Board of Police of said county, and for other purposes;

An act to incorporate the Desoto County Manufacturing company:

An act to establish a system of common schools in Yazoo city;

Which I am instructed to present to the Senate for the signature of the President.

The President signed the bills therein named.

Mr. Berry asked and obtained leave to introduce a bill to be entitled an act to authorise the State of Mississippi to subscribe for stock in the Mobile and Ohio Railroad company, and for other purposes; which was read the first time.

Mr. Berry moved that the rule be suspended, the bill read the second time by title, laid on the table and, 200 copies thereof be printed for the use of the Legislature; which was decided in the negative.

On motion of Mr. Berry, said bill was laid on the table, and two hundred copies ordered to be printed for the use of the Legislature.

Mr. Sharkey, from the committee on Propositions and Grievances, made the folowing report, to wit:

Mr. President—The committee on Propositions and Grievaces, to whom was referred a bill to be entitled an act for the relief William Tullis, of the county of Smith, have had the same under consideration,and have instructed me to report said bill back to the Senate, and recommend that it do not pass; which was read, and on motion of Mr. Sharkey, was received.

Mr. Guion from the committee on the Judiciary, made the following report, to-wit:

Mr. President—The committee on the Judiciary, to whom was referred the petitoin of P. W. Tompkins and other citizens of Warren county, in relation to the necessity of proposing certain laws, have had the same under consideration, and have instructed me to report the following bill, to wit:

A bill to be entitled an to amend the laws in relation to crimes and misdemeanors; which was read, and on motion of Mr. Guion, was received and agreed to; and the bill therein reported, to be entitled an act to amend the laws in relation to crimes and misdemeanors, was read the first time.

On motion of Mr. Guion, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Guion, said bill was ordered to be engrossed for a third reading on to-morrow.

Mr. Guion presented the petition of J. W. Fite; which, on motion of Mr. Guion, was referred to the committee on Claims.

Mr. Kennedy, from a select committee, made the following report, to-wit:

Mr. President—The slect committee to whom was referred a bill to be entitled an act to authorise Abner Reeves, administrator of the estate of Albert G. Hill, deceased, to deliver the same to Robert L. Render, and for other purposes; have had, according to order, the bill under consideration, and instructed me to report the same back to the Senate, and recommend its passage; which was read, and on motion of Mr. Kennedy, the report was received and agreed to.

Mr. Thompson presented the memorial of D. L. Dix.

Mr. Thompson moved that said memorial be laid on the table, and that one thousand copies thereof be printed for the use of the Senate, which was decided in the negative.

On motion of Mr. Cannon, said memorial was laid on the table, and five hundred copies thereof ordered to be printed for the use of the Senate.

Mr. Hodges asked and obtained leave to offer the following resolution, to wit:

Resolved, (the House concurring) that the two Houses will meet in the hall of the House of Representatives on Tuesday,the 12th inst.,

at 11 o'clock, for the purpose of electing a Superintendent, Assistant Keeper and Clerk of the Penitentiary;

Which was read the first time.

Mr. Hodges moved that the rule be suspended, the resolution be read the second time and adopted; which was decided in the negative.

The Senate proceeded to the consideration of the orders of the day, and resolved itself into committee of the whole on a bill to be entitled an act to provide for leasing the Penitentiary of the State of Mississippi, Mr. White in the chair; and after some time spent therein, the committee rose, and Mr. White reported said bill back to the Senate with sundry amendments, and recommended that the same do not pass.

Mr. White moved that the report be received and agreed to.

Mr. Gilleland called for a division of the question.

The vote was first taken on receiving the report, which was decided in the affirmative.

Mr. Pettus moved that the Senate adjourn until to-morrow morning 10 o'clock; which was lost.

The vote was then taken on agreeing to said report, which was decided in the affirmative.

Mr. Gilleland called for the ayes and nays thereon, which are as follows, to wit:

Ayes—Messrs. Brooke, Bell, Berry, Beene, Catching, Davis, Golladay, Greer, Hodges, Hughes, McDugald, Pettus, Reynolds, Sharkey, Talliaferro, Thompson, Tait and White—18.

Nays—Messrs. Alcorn, Cannon, Carter, Drane, Gilleland, Guion, Kennedy, McAfee, Ramsay, Singleton and Stewart—11.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

Mr. President—I am instructed to inform the Senate, that the House of Representatives have agreed to the report of the committee of conference raised by the two Houses, to adjust the differences between them on the amendments made by the House to the Senate bill to incorporate the New Orleans and Jackson Railroad company; and have adopted the amendment made by said committee, as a compromise, striking out the 20th section in said bill, and inserting a different section as an amendment to the same.

In which I am instructed to desire the concurrence of the Senate.

The following message was received from his Excellency the Governor, through his private Secretary, Mr. McDonald, to wit:

Mr. President—I am instructed by his Excellency the Governor, to inform the Senate that he has this day approved and signed bills of the following titles, to-wit:

An act to incorporate the Yazoo and Big Black Plank Road company, and for other purposes;

Also, an act to incorporate the Columbus Mutual Insurance company.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to-wit:

Mr. President—The Speaker of the House of Representatives has signed bills of the following titles, viz:

An act to amend the practice in the court of Probates.

An act to change the time of holding the Circuit courts in the counties of Harrison and Hancock;

An act for the benefit of Elihu Nooner;

An act to authorise the respective clerks of the Vice Chancery court of the Northern District of the State of Mississippi, to perform all acts appertaining to the office of clerk until their successors in office shall be duly qualified;

An act for the benefit of the Yazoo Female Academy;

An act declaring Lake Henry and Turkey Bayou navigable streams;

An act to amend the several laws of the State in relation to common schools, so far as relates to Chickasaw county;

An act to authorise the school trustees of Township 4, of Range 3 west, in Hinds county, to execute a lease or leases to Henry D. Gibbs, for ninety-nine years, for certain portions of sixteenth section therein;

Which I am instructed to present to the Senate for the signature of the President.

The President signed the bills therein named.

Mr. Berry, from the committee on Enrolled Bills, made the following report, viz:

Mr. President—The joint standing committee on Enrolled Bills have this day presented to his Excellency the Governor, for his approval and signature, bills of the following titles, to-wit:

An act to incorporate the Yazoo and Big Black Plank Road company, and for other purposes;

An act to incorporate the Columbus Mutual Insurance company;

A bill to be entitled an act to incorporate the Mississippi Mutual Insurance Company.

Mr. Bell asked and obtained leave to introduce a bill to be entitled an act to protect the interests of debtors at sheriffs' sales; which was read the first time.

On motion of Mr. Drane, the Senate adjourned until to-morrow morning, 10 o'clock.

SATURDAY, FEBRUARY 9, 1850

The Senate met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Stiteler.

The journal of yesterday was read.

Mr. Berry, from the committee on Enrolled Bills, made the following report, to wit:

MR. PRESIDENT—The joint standing committee on Enrolled Bills have this day examined a bill of the following title, viz:

An act for the relief of Hellen S. Johnson, a minor, of Madison county; and have found the same correctly enrolled.

Mr. Drane presented the claim of Benjamin Atkinson and Elender Atkinson; which, on motion of Mr. Drane, was referred to the committee on Propositions and Grievances.

Mr. Tait asked and obtained leave to introduce a bill to be entitled an act to incorporate the Panola and De Soto Plank Road Company; which was read the first time.

On motion of Mr. Tait, the rule was suspended and the bill read the second time, forthwith, by title.

On the further motion of Mr. Tait, the rule was further suspended, said bill considered as engrossed, read a third time and passed.

Ordered, That the title thereof be as stated.

Mr. Catching called from the orders of the day a bill to be entitled an act to incorporate the New Orleans and Jackson Railroad Company, and for other purposes, for the purpose of considering the amendment made by the committee of conference to said bill; which said amendment was read.

On motion of Mr. Catching, said amendment was concurred in.

On motion of Mr. Stewart, two hundred copies of the report of the committee on the Penitentiary were ordered to be printed for the use of the Senate.

Mr. Beene, from the committee on Engrossed Bills, made the following report, to wit:

MR. PRESIDENT—The committee on Engrossed Bills have examined a bill to be entitled an act to amend the laws in relation to crimes and misdemeanors;

And have found the same correctly engrossed.

Mr. Gilleland asked and obtained leave to introduce a bill to be entitled an act for the relief of George W. G. Thompson, of Leake county; which was read the first time.

On motion of Mr. Gilleland, the rule was suspended and the bill read the second time, forthwith, by title.

On motion of Mr. Gilleland, said bill was ordered to be engrossed for a third reading on Monday next.

Mr. Singleton, from the committee on the Judiciary, made the following report, to wit:

Mr. President—The standing committee on the Judiciary, to whom was referred a House bill to be entitled an act to amend an act entitled an act to change the mode of collecting revenue of hawkers and pedlars in this State, approved February 28th, 1846, have had the same under consideration, and have instructed me to report the following bill as a substitute therefor, and recommend its passage.

Which was read, and, on motion of Mr. Singleton, was received and agreed to; and the bill therein reported, to be entitled an act to amend an act to change the mode of collecting the revenue of hawkers and pedlars, approved Feb. 28th, 1846, was read the first time.

Mr. Guion presented the petition of Thomas Foster; which, on motion of Mr. Guion, was referred to the committee on Propositions and Grievances.

Mr. Hodges asked and obtained leave to introduce a bill to be entitled an act to incorporate the Polkville Male and Female Academy, in the county of Smith; which was read the first time.

On motion of Mr. Hodges, the rule was suspenned and said bill read a second time by title.

On motion of Mr. Hodges, the rule was further suspended, said bill considered as engrossed, read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Drane asked and obtained leave to introduce a bill to be entitled an act to repeal the usury laws of this State; which was read the first time.

On motion of Mr. Drane, the rule was suspended and the bill read a second time by title.

On motion of Mr. Drane, said bill was referred to the committee on the Judiciary.

Mr. Carter, from a select committee, made the following report, to wit:

Mr. President—The select committee to whom was referred the claim of William H. White, late sheriff of Lauderdale county, have had the same under careful consideration, and have instructed me to report that your committee are of opinion that the claims are provided for by the statute laws now in force; therefore, ask leave to be discharged from the further consideration of the same.

Which was read.

On motion of Mr. Carter, said report was received and agreed to.

Mr. Davis called from the orders of the day a bill to be entitled an act relative to drawing jurors in the county of Amite; which was read the first time.

On motion of Mr. Davis, the rule was suspended and said bill read the second time by title.

On the further motion of Mr. Davis, the rule was further suspended, said bill considered as engrossed, read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Greer called from the orders of the day a bill to be entitled an act for the relief of Thomas Archibald Reid; which was read.

On motion of Mr. Guion, the House amendments to said bill were concurred in.

Mr. Berry called from the orders of the day a bill to be entitled an act to change the time of holding the probate court in the county of Tippah; which was read the second time, and, on motion of Mr. Berry, the rule was suspended, the bill considered as engrossed, read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Drane offered the following resolution, to wit:

Resolved, (the House of Representatives concurring,) That the Legislature do adjourn, *sine die*, on Friday, the first day of March next.

Which was read the first time.

Mr. Hodges called from the orders of the day the following resolution:

Resolved, (the House concurring,) That the two Houses will meet in the Hall of the House of Representatives on Tuesday, the 12th inst., at 11 o'clock, for the purpose of electing a superintendent, assistant keeper, and clerk of the penitentiary.

Which was read.

On motion of Mr. Brooke, said resolution was amended by striking out the "12th," and inserting the "19th instant."

On motion of Mr. Cannon, said resolution was further amended by striking out "assistant keeper."

The question was then taken on the adoption of the resolution, as amended, and decided in the affirmative.

Mr. Hodges asked and obtained leave to introduce a bill to be entitled an act to change the time of holding the probate court of Smith county; which was read the first time.

On motion of Mr. Hodges, the rule was suspended and the bill read the second time by title.

On the further motion of Mr. Hodges, the rule was further suspended, said bill considered as engrossed, read the third time and passed.

Ordered, That the title thereof stand as stated.

The Senate proceeded to the consideration of the orders of the day, and resolved itself into committee of the whole on a bill to be entitled an act proposing an amendment to the constitution of the State of Mississippi, Mr. Kennedy in the chair; and, after some time spent therein, the committee rose, and Mr. Kennedy reported said bill back to the Senate, without amendment, and recommended its passage.

Mr. Kennedy moved that the report be received and agreed to.

Mr. Guion called for a division of the question.

The vote was first taken on receiving the report; which was decided in the affirmative.

The vote was then taken on agreeing to the report; which was decided in the affirmative.

On motion of Mr. Brooke, the bill was read the second time and passed to its third reading.

The yeas and nays being taken thereon, resulted as follows, to wit:

AYES—Messrs. Alcorn, Brooke, Bell, Golladay, Gilleland, Greer, Hodges, Kennedy, McDugald, Pettus, Ramsay, Reynolds, Singleton, Stone, Stewart, Sharkey, Torrey, Talliaferro, Thompson and Tait—26.

NAYS—Mr. President, Messrs. Guion, Hughes and White—4.

A bill to be entitled an act to change the name of Mary Ann Eliza Ligon to that of Mary Ann Eliza McAllister, was read the second time.

On motion of Mr. Thompson, the rule was suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to incorporate the town of Biloxi, in the county of Harrison, was read the third time and passed, with amendments thereto.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to remove the civil disabilities of Lewis S. Jones, of Hinds county, was read the second time.

Mr. Gilleland moved to amend said bill by inserting the name of George W. G. Thompson, of Leake county; which amendment was adopted.

On motion of Mr. Gilleland, the rule was suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to incorporate Magnolia Chapter, No. 7, of Free and Accepted Masons, in the town of Brownsville, in the county of Hinds, and Houston Chapter, No. 23, of Free and Accepted Masons, in the town of Houston, county of Chickasaw, was read the first time.

A bill to be entitled an act to repeal an act to establish a system of common schools, and for other purposes, approved March 4th, 1846, so far as relates to the county of Attala, and for other purposes, was read the first time.

On motion of Mr. Drane, the rule was suspended and the bill read the second time by title.

A bill to be entitled an act to amend an act entitled an act to amend an act reducing the fees of certain officers therein named, approved February 10th, 1844, so far as the same relates to the counties of Harrison, Washington and Tunica, approved February 24th, 1848, was read the first time.

A bill to be entitled an act extending the privileges of the act of February 10th, 1844, entitled an act extending certain privileges to Masons, Odd Fellows, Sons of Temperance, Literary, Benevo-

lent, and other societies and companies, to certain associations not included within the terms of said act, was read the first time.

A bill to be entitled an act to establish a ferry across the back bay of Biloxi, and for other purposes, was read the first time.

A bill to be entitled an act to change the name of James Irving Mills to that of James Irving Ruff, was read the first time.

On motion of Mr. Kennedy, the constitutional rule was suspended and the bill read the second time, forthwith, by title.

On the further motion of Mr. Kennedy, the rule was further suspended, the bill considered as engrossed, read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act declaring Yallobusha river a navigable stream, was read the first time.

A bill to be entitled an act to amend an act entitled an act to annex, in the county of Adams, township number eight, of range two west, to township number eight, of range three west, and for other purposes, was read the first time.

On motion of Mr. Stewart, the constitutional rule was suspended and the bill read the second time, forthwith, by title.

On motion of Mr. Stewart, the rule was suspended, the bill considered as engrossed, read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to amend an act entitled an act to increase the fees of certain officers in the county of Coahoma, was read the first time.

On motion of Mr. White, the rule was suspended and said bill read the second time by title.

On motion of Mr. White, the rule was further suspended, said bill considered as engrossed, read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to limit the levying of the county tax of the county of Greene, was read the first time.

On motion of Mr. Ramsay, the rule was suspended and said bill read the second time by title.

On motion of Mr. McDugald, said bill was referred to a select committee of three.

Messrs. McDugald, Ramsay and Drane were appointed said committee.

The following message was received from his Excellency, the Governor, through his Private Secretary, Mr. McDonald:

MR. PRESIDENT—I am instructed by his Excellency, the Governor, to inform the Senate that he has this day approved and signed bills of the following title, viz:

An act to amend an act to incorporate the Deer Creek Railroad Company, approved February 11th, 1848.

A bill to be entitled an act to provide for the erection, preserva-

tion and repairs of levees on the Mississippi river, in the county of Issaquena, was read the first time.

On motion of Mr. White, the rule was suspended and the bill read a second time by title.

Mr. Singleton moved that said bill be referred to a select committee of three; which motion was lost.

On motion of Mr. White, the rule was further suspended, said bill considered as engrossed, read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to authorize the clerk of the circuit court of the counties of Hinds and Greene to make a full and complete record of all final judgments now unrecorded, and to prepare indexes for the minute books and dockets of said court, was read the first time.

A bill to be entitled an act concerning process of the circuit court of Adams county, and for other purposes, was read the third time and passed.

Ordered, That the title thereof be as stated.

The President announced that the feeble state of his health required that he should vacate the chair a few days, and requested that some Senator should be elected to fill his place.

Whereupon, on motion of Mr. White, the Hon. John I. Guion was unanimously elected to preside over the deliberations of the Senate during the indisposition of the President.

On motion of Mr. Brooke, the Senate adjourned until Monday morning, 10 o'clock.

MONDAY, FEBRUARY 11, 1850.

The Senate met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Johnson.

The journal of yesterday was read.

The Senate proceeded to the consideration of the orders of the day.

A bill to be entitled an act proposing an amendment to the constitution of the State of Mississippi, was taken up.

On motion of Mr. Bell, the consideration of said bill was postponed until 12 o'clock, M., to-day.

A bill to be entitled an act to amend an act entitled an act to authorise the sale of lands belonging to the Sinking Fund, and for other purposes, approved February 16th, 1846; was read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to authorise Abner Reeves, administrator of the estate of Albert G. Hill, deceased, to deliver the same to Robert L. Render, and for other purposes, was read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act amendatory of the laws relative to divorces, was read the third time and passed.

Ordered, That the title thereof be as stated.

A Senate amendment to the House bill, to be entitled an act to regulate the liens of judgments rendered by justices of the peace, was read, and the vote being taken on the adoption thereof, it was lost.

Mr. Torrey called for the ayes and nays thereon, which are as follows, to wit:

AYES—Messrs. Brooke, Beene, Gilleland, Greer, Guion, Hughes, Singleton, Tait and White—9.

NAYS—Messrs. Bell, Catching, Cannon, Carter, Drane, Davis, Golladay, Hodges, Kennedy, Pettus, Ramsay, Stewart, Torrey, Talliaferro and Thompson—15.

Said bill was then read the third time and lost.

Mr. Cannon called for the ayes and nays thereon, which are as follows, to wit:

AYES—Messrs. Beene, Gilleland and Hughes–3.

NAYS—Messrs. Brooke. Bell, Berry, Catching, Cannon, Carter, Drane, Davis, Golladay, Greer, Guion, Hodges, Kennedy, Pettus, Reynolds, Singleton, Stewart, Torrey, Tallaiferro, Thompson, Tait and White—22.

A bill to be entitled an act to incorporate Magnolia Chapter, No. 7, of Free and Accepted Masons, in the town of Brownsville, in the county of Hinds; and Houston Chapter, No. 23, of Free and Accepted Masons, in the town of Houston, in the county of Chickasaw; was read the second time.

On motion of Mr. Gilleland, the rule was suspended and the bill read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Berry from the committee on Enrolled Bills, made the following report, to wit:

MR. PRESIDENT—The joint standing committee on Enrolled Bills have this day presented to his Excellency the Gorvernor, for his approval and signature, bills of the following titles, to wit:

An act for the relief of the widow of Lomax Commack.

An act to change the time of holding the Circuit courts in the counties of Harrison and Hancock;

An act to amend the several laws of this State in relation to common schools, so far as relates to Chickasaw county;

An act to establish a system of common schools in Yazoo city;

An act to enable the commissioners appointed by an act entitled an act to remove the county seat of Sunflower county, approved

March 5th, 1846, to settle their accounts as such commissioners with the Board of Police of said county, and for other purposes;

An act to incorporate the Desoto County Manufacturing company:

An act for the benefit of Elihu Nooner;

An act to amend the practice in the courts of Probate;

An act to authorise the school trustees of Township 4, Range 3 west, in Hinds county, to execute a lease, or leases, to Henry D. Gibbs for ninety-nine years, for certain portions of sixteenth section therein named;

An act declaring Lake Henry and Turkey Bayou navigable streams;

An act to authorise the respective clerks of the Vice Chancery court of the Northern District of the State of Mississippi to perform all acts appertaining to the office of clerk, until their successors in office shall be duly qualified;

An act for the benefit of the Yazoo Female academy;

Mr. Berry, from the committee on Enrolled Bills, made the following report, to-wit:

Mr. President—The joint standing committee on Enrolled Bills have this day examined bills of the following titles, to-wit:

An act to change the time of holding the Probate court in the county of Tippah;

An act relative to the drawing of jurors in the county of Amite;

An act to change the name of James Irving Mills, to that of James Irving Ruff;

An act to amend an act entitled an act to increase the fees of certain officers in the county of Coahoma;

An act to change the name of Mary Ann Eliza Ligon, to Mary Ann Eliza McAlister, and for other purposes;

An act to amend an act entitled an act to annex in the county of Adams, Township No. 8, of Range 2 west, to township No. 8, of Range 3 west, and for other purposes;

An act for the relief of Thomas Archibald Reid and Rufus B. Ragan;

And have found the same correctly enrolled.

The Senate again proceeded to the consideration of the orders of the day.

A bill to be entitled an act to amend an act entitled an act reducing the fees of certain officers therein named, approved 10th of February, 1844, so far as relates to the counties of Harrison, Washington and Tunica, approved February 24, 1848, was read the second time.

Mr. Torrey moved to amend said bill by adding the county of Claiborne; which was adopted.

On motion of Mr. White, the rule was suspended, the bill read the third time as amended and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act extending the privileges of the act of February 10th, 1848, entitled an act extending certain privileges to Masons, Odd Fellows, Sons of Temperance, Literary, Benevolent and other societies and companies, to certain associations not included within the terms of said act, was read the second time.

On motion of Mr. Cannon, the rule was suspended, the bill read the third time and passed.

Ordered, that the title thereof be as stated.

A bill to be entitled an act to establish a ferry across the back bay of Biloxi, and for other purposes, was read the second time.

A bill to be entitled an act declaring Yalobusha river a navigable stream, was read the second time.

On motion of Mr. Cannon the rule was suspended, the bill read the third time and passed.

Ordered, that the title thereof be as stated.

A bill to be entitled an act to authorize the clerks of the circuit courts of the counties of Hinds and Greene to make a full and complete record of all final judgments now unrecorded, and to prepare indexes for the minute books and dockets of said courts, was read the second time.

On motion of Mr. Bell, the rule was suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

The following message was received from the House of Representatives through their clerk, Mr. Russell:

MR. PRESIDENT—The House of Representatives have passed bills with the following titles:

A bill to be entitled an act to declare Old Town Creek a navigable stream;

A bill to be entitled an act to prescribe the time of holding the Probate court in Sunflower county;

A bill to be entitled an act to amend an act entitled an act to incorporate the town of Oakland in Yalobusha county, approved February 28, 1848;

A bill to be entitled an act to provide for common schools within the corporation of Woodville;

A bill to be entitled an act for the relief of John Buttrell of Tishemingo county;

A bill to be entitled an act to amend an act to incorporate the the town of Louisville, in the county of Winston, approved February 16, 1838;

A bill to be entitled act to provide for the education of the poor children in the county of Lawrence;

In all of which, I am instructed to desire the concurrence of the Senate.

The House of Representatives have passed Senate bills of the following titles:

A bill to be entitled an act to incorporate the Matubbe Plank Road company;

A bill to be entitled an act to incorporate the town of Bankston, in the county of Choctaw;

A bill to be entitled an act for the relief of Jefferson Davis, Colonel of the First Regiment Mississippi Rifles during the war with Mexico.

And have given leave to the introduction of bills with the following titles:

A bill to be entitled an act to amend and explain an act to authorise the trustees of school lands within each township of this State, to lease the 16th section within the same for ninety-nine years, and for other purposes, approved February 27, 1833;

A bill to be entitled an act to provide for the service of process in certain cases;

A bill to be entitled an act to amend an act incorporating the city of Vicksburg, approved February 15, 1839, and of the several amended acts in relation thereto;

A bill to be entitled an act to incorporate the Vicksburg Manufacturing company;

A bill to be entitled an act to incorporate the Vicksburg and Warren county Manufacturing company;

A bill to be entitled an act to secure the rights of plaintiffs in attachment;

A bill to be entitled an act to establish the county of ——— and to define the boundaries thereof.

The Speaker of the House of Representatives has signed an act for the relief of Helen S. Johnson, a minor of Madison county; which I am instructed to present to the Senate for the signature of the President.

The President signed the bill therein named.

The Senate again resumed the consideration of the orders of the day.

A bill to be entitled an act to regulate the Probate court in Scott county, was read the second time.

On motion of Mr. Singleton, the rule was suspended, the bill read the third time and passed.

Ordered, that the title thereof be as stated.

A bill to be entitled an act for the benefit of Oscar Glenalvin Wardsworth of Simpson county, was read the first time.

On motion of Mr. Catching, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Catching, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to authorise the treasurer of the county of Rankin to distribute certain money therein named, was read the first time.

A bill to be entitled an act to extend the time of holding the Probate court of Panola county, was read the first time.

On motion of Mr. Alcorn, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Alcorn, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act for the relief of O. P. Casey, was read the first time.

A bill to be entitled an act to assess the number of cotton bales made in the State of Mississippi, in each and every year, was read the first time.

On motion of Mr. Bell, the rule was suspended, and the bill read the second time by title.

Mr. Berry, from the committee on Enrolled Bills, made the following report, to wit:

MR. PRESIDENT—The joint standing committee on Enrolled bills beg leave to return to the respective Houses, acts of the following titles, which have been presented to his Excellency the Governor for his approval and signature, and which not having been approved by him within six days after their presentation, have been this day returned by him to your committee, and have become laws under the constitution without his signature, viz:

An act for the relief of James Gilmore Anderson and Augusta R. Anderson;

An act for the relief of Edward F. Bennett of Madison county;

An act to change the names of Levy Ann Rebecca and Elvira Hosea to that of Burnham;

An act to change the name of Melissa Ann Brinkley to that of Melissa Ann Coward;

An act for the relief of Loretta Jane Hayes, of Sunflower county;

An act for the benefit of Joseph Daniel Stokes, of Jefferson county.

Mr. Cannon offered the following resolution, to wit:

Resolved, (the House of Representatives concurring) that the standing committee on Enrolled Bills of each body, be instructed to deposit the several bills which have been returned by the Executive, without his signature, in the office of the Secretary of State; which was read the first time.

On motion of Mr. Cannon, the rule was suspended, and the resolution read the second time and adopted.

The Senate again resumed the consideration of the orders of the day.

A bill to be entitled an act to amend an act reducing the fees of certain officers therein named, approved February 10th 1844, so far as relates to the county of Madison, was read the first time.

On motion of Mr. Singleton, said bill was laid on the table.

A bill to be entitled an act to incorporate Madison Division, No.

19, Sons of Temperance, in the town of Canton, Madison county, Mississippi, was read the first time

Mr. Catching moved that said bill be laid on the table, which was lost.

A bill to be entitled an act to amend an act to incorporate the Canton and Jackson Railroad company, approved February 1st, 1841, and passed February 7th, 1848, was read the first time.

A bill to be entitled an act to reduce the bonds of sheriffs and coroners in the counties of Neshoba, Leake and Newton, was read the first time.

On motion of Mr. Pettus, the rule was suspended, and the bill read the second time by title.

Mr. White offered the following amendment to said bill, to wit: Amend by adding,

Sec. — *Be it further enacted*, That the bonds of the Sheriff and Coroner of the county of Issaquena shall not exceed double the amount of the State and county taxes in said county.

Amend section 2, by adding after the word "Newton," the word "Issaquena."

Which amendments were adopted.

On motion of Mr. Pettus, the rule was further suspended, the bill as amended read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to amend an act entitled an act to reduce the per diem allowance of the board of Police of Jackson county, was read the first time.

A bill to be entitled an act to abolish the per diem pay of the Judge of Probate and members of the board of county Police of Jones county, and for other purposes, was read the first time.

A bill to be entitled an act to declare Dog river, in the county of Jackson a navigable stream, was read the first time.

A bill to be entitled an act for the relief of the trustees of schools and school lands, in township number 10, of range number 1, east of the basis meridian, and west of Pearl river, and for other purposes, was read the first time.

A resolution of the Legislature of the State of Mississippi, in relation to celebrating the 22d February, instant, was read the first time.

On motion of Mr. Gilleland the rule was suspended, and the resolution read the second time by title.

On motion of Mr. Bell, the rule was further suspended, the resolution read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Hodges moved, that a committee of three be appointed on the part of the Senate on said resolution, which was decided in the affirmative.

Messrs. Hodges, Singleton and McDugald were appointed said committee.

Mr. Cannon presented the petition of William Wing, which, on motion of Mr. Cannon, was referred to the committee on claims.

Mr. Carter asked and obtained leave to introduce a bill to be entitled an act to incorporate the Almucha Academy, which was read the first time.

On motion of Mr. Carter, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Carter, said bill was ordered to be engrossed for a third reading on to-morrow.

Mr. Brooke called up a bill to be entitled an act proposing an amendment to the constitution of the State of Mississippi; the consideration of which had been postponed until this hour, which was read the second time and passed to a third reading.

The ayes and nays thereon are as follows, to wit:

Ayes—Messrs. Alcorn, Brooke, Bell, Berry, Catching, Cannon, Carter, Drane, Golladay, Gilleland, Greer, Hodges, Hughes, Kennedy, McDugald, Pettus, Ramsay, Reynolds, Singleton, Stewart, Torrey Talliaferro, Thompson and Tait—24.

Nays—Messrs. Davis, Guion and White—3.

The Senate again resumed the consideration of the orders of the day:

A bill to be entitled an act to relinquish the claim of the State of Mississippi, by escheat, to the estate of Antoine Martin, deceased, to the heirs and legal representatives of John Nixon, Esq., deceased, and for other purposes, was read the first time.

A bill to be entitled an act to amend an act reducing the fees of certain officers therein named, approved February 10th, 1844, so far as the same relates to the county of Claiborne, was read the first time.

On motion of Mr. Torrey, said bill was laid on the table.

A bill to be entitled an act to authorize the board of police for the county of Issaquena to assign hands to work on Deer Creek, was read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to amend the laws in relation to crimes and misdemeanors, was read the third time.

On motion of Mr. Berry, said bill was recommitted to the committee on the Judiciary, with instructions that they report, &c.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

Mr. President—The Speaker of the House of Representatives has signed bills of the following titles, to wit:

An act to change the time of holding the probate court in the county of Tippah;

An act relative to the drawing of jurors in the county of Amite;

An act to change the name of James Irving Mills to that of James Irving Ruff;

An act to amend an act entitled an act to increase the fees of certain officers in the county of Coahoma;

An act to change the name of Mary Ann Eliza Ligon to Mary Ann Eliza McAllister, and for other purposes;

An act to amend an act entitled an act to annex, in the county of Adams, township number eight, of range two west, to township eight, of range three west, and for other purposes;

An act for the relief of Thomas Archibald Ried and Rufus B. Ragan;

Which I am instructed to present to the Senate for the signature of the President.

The President signed the bills therein named.

The Senate again resumed the consideration of the orders of the day:

A bill to be entitled an act to provide for the purchase of two hundred and fifty copies of Smedes' Digest, was read the second time.

A bill to be entitled an act to change the mode of obtaining license to peddle, and for other purposes, was read the second time.

On motion of Mr. Thompson, said bill was ordered to be engrossed for a third reading on to-morrow.

A bill to be entitled an act relinquishing the claim of the State of Mississippi, by escheat, in and to the real estate of Martin Burke, late of Copiah county, deceased, in favor of the heirs capable of inheriting the personal property of said decedent, was read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to protect the interest of debtors at sheriffs' sales, was read the second time.

Mr. Bell moved that said bill be engrossed for a third reading on to-morrow; which was decided in the negative.

Mr. Alcorn moved a reconsideration of said vote just taken on the engrossment of said bill; which was decided in the negative.

A bill to be entitled an act to repeal an act to establish a system of common schools, and for other purposes, approved 4th March, 1846, so far as relates to the county of Attala, and for other purposes, was read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act for the relief of William Tullas, of the county of Smith, was read the third time and lost.

A bill to be entitled an act to amend an act entitled an act to change the mode of collecting revenue of hawkers and pedlars, approved February 28th, 1846, was read the second time.

On motion of Mr. Singleton, said bill was ordered to be engrossed for a third reading on to-morrow.

A resolution in relation to adjournment, *sine die*, of the Legislature, was read the second time.

Mr. Bell moved to lay said resolution on the table; which was decided in the affirmative.

Mr. Thompson called for the ayes and nays thereon, which are as follows, to wit:

Ayes—Messrs. Bell, Beene, Carter, Golladay, Gilleland, Guion, Hodges, McDugald, Pettus, Ramsay, Reynolds, Singleton, Sharkey, Thompson and White—15.

Nays—Messrs. Alcorn, Brooke, Berry, Catching, Drane, Davis, Greer, Hughes, Kennedy, McAfee, Stewart, Torrey, Talliaferro and Tait—14.

On motion of Mr. Kennedy, the Senate adjourned until to-morrow morning, 10 o'clock.

TUESDAY, February 12, 1850.

The Senate met pursuant to adjournment.

The journal of yesterday was read.

The following message was received from the House of Representatives, through their clerk, Mr. Russell:

Mr. President—The House of Representatives have concurred in the joint resolution of the Senate, instructing the standing committee on Enrolled Bills of each body to deposite the several bills which have been returned by the Executive, without his signature, in the office of the Secretary of State; and have passed bills of the following title:

A bill to be entitled, an act for the relief of the State Commissioner;

A bill to be entitled, an act to provide for the payment of Jurors, when the Judge fails to appear and hold court; in which I am instructed to desire the concurrence of the Senate.

Mr. Sharkey presented the petition of John Crawford and others, citizens of Warrenton, in Warren county, which was read, and, on motion of Mr. Sharkey, referred to a select committee of three.

Messrs. Sharkey, Brooke, and McAfee were appointed said committee.

Mr. Cannon presented the claim of James M. Wynne, sheriff of Lowndes county, which on motion of Mr. Cannon, was referred to the committee on Claims.

Mr. Berry, from the committee on Enrolled Bills, made the following report, to-wit:

Mr. President—The joint standing committee on Enrolled bills, have this day examined bills of the following titles, viz:

An act to incorporate the Magnolia Chapter No. 7, of Free and Accepted Masons, in the town of Brownsville, in the county of

Hinds, and Houston Chapter No. 25, of Free and Accepted Masons in the town of Houston, in the county of Chicksaw;

An act to extend the time of holding the Probate Court of Panola county;

An act to regulate the Probate Court of Scott county;

An act to authorize Abner Reeves, administrator of the estate of A. G. Hill, deceased, to deliver the same to Robert L. Render, and for other purposes;

An act declaring Yallabusha river a navigable stream;

An act extending the privileges of an act approved February 10, 1848, entitled, an act extending certain privileges to Masons, Odd Fellows, Sons of Temperance, Literary, Benevolent, and other Societies and Companies, to certain Associations, not included within the terms of said act;

An act amendatory of the laws relative to Divorce;

An act to authorize the clerks of the Circuit Courts of the counties of Hinds and Greene to make a full and complete record of all final judgments, now unrecorded, and to prepare indexes for the minutes books and dockets of said courts;

An act for the benefit of Oscar Glenalvin Wadsworth, of Simson county;

A resolution of the State of Mississippi, in relation to celebrating the 22d Feb. instant;

An act to incorporate the town of Bankston, in the county of Choctaw; and have found the same correctly enrolled.

Mr. Carter, from the standing committee on Elections made the following report, to-wit:

Mr. President—The standing committee on Elections have had the same under consideration, and have instructed me to report, that they are satisfied from the credentials handed in by Senators, that all the members of this body have been duly elected according to the forms of the constitution and laws of this State, which was read, and, on motion of Mr. Carter, was received and agreed to.

Mr. Pettus presented the petition of Allen Avery and other citizens of Kemper county, which was read, and, on motion of Mr. Pettus, referred to the committee on Internal Improvements.

Mr. Sharkey, from a select committee, made the following report, to-wit:

Mr. President—The select committee to whom was referred a bill to be entitled, an act to form an additional judicial district in the State of Mississippi, and for other purposes, have had the same under consideration, and have instructed me to report said bill back to the Senate, and ask to be discharged from the further consideration of the subject; which was read, and, on motion of Mr. Sharkey, was received and agreed to.

Mr. Sharkey, from a select committee, made the following report, to-wit:

MR. PRESIDENT—The select committee to whom was referred the subject of inquiring into the expediency of abolishing the vice chancery courts, and also into the constitutionality and expediency of conferring upon the circuit judges, vice chancery jurisdiction, have had the same under consideration, and have instructed me to report, that in the opinion of your committee such powers could not be vested in the circuit judges, unless they had been elected by the people for that purpose; consequently, no legislation on the subject could take effect until the next general election of such circuit judges. Your committee are therefore of opinion that it is inexpedient to legislate upon the subject at this time and ask to be discharged from the further consideration of the subject; which was read, and, on motion of Mr. Sharkey, was received and agreed to.

Mr. Reynolds asked and obtained leave to introduce a bill, to be entitled, an act to incorporate the Jacinto Male Academy, and for other purposes, which was read the first time.

On motion of Mr. Reynolds, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Reynolds, the rule was further suspended, the bill considered as engrossed, read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Sharkey asked and obtained leave to introduce a bill to be entitled, an act to incorporate Hill City Lodge No. 121, of Free and Accepted Masons, in the City of Vicksburg, which was read the first time.

On motion of Mr. Sharkey, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Sharkey, said bill was referred to a select committee of three.

Messrs. Sharkey, Stewart, and White were appointed said committee.

Mr. Hughes asked and obtained leave to introduce a bill to be entitled, an act for the relief of the minor heirs of Solomon R. Vickers, deceased, which was read the first time.

On motion of Mr. Hughes, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Hughes, the rule was further suspended, the bill considered as engrossed, read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Beene, from the committee on Engrossed Bills, made the following report, to-wit:

MR. PRESIDENT—The committee on Engrossed Bills have examined bills of the following titles, to-wit:

A bill to be entitled, an act to amend an act to change the mode

of collecting revenue of Hawkers and Pedlers, approved Feb. 28, 1846;

A bill to be entitled, an act to change the mode of obtaining license to peddle, and for other purposes;

A bill to be entitled an act to incorporate Almucha Academy; and have found the same correctly engrossed.

Mr. Sharkey asked and obtained leave to introduce a bill, to be entitled, an act to change the name of Christopher Lynch Foster, and for other purposes, which was read the first time.

On motion of Mr. Sharkey, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Sharkey, said bill was ordered to be engrossed for a third reading on to-morrow.

Mr. Hughes asked and obtained leave to introduce a bill, to be entitled an act for the relief of Elizabeth Samuel Byrn, a minor, in Noxubee county, which was read the first time.

On motion of Mr. Hughes, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Hughes, said bill was ordered to be engrossed for a third reading on to-morrow.

Mr. White asked and obtained leave to introduce a bill, to be entitled, an act to incorporate the Deer Creek and Mississippi Plank Road Company, and for other purposes, which was read the first time.

On motion of Mr. White, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. White, the rule was further suspended, the bill considered as engrossed, read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Brooke called from the orders of the day:

A bill to be entitled, an act proposing an amendment to the Constitution of the State of Mississippi, which was read the third time and passed.

The ayes and nays thereon are as follows:

Ayes—Messrs. Alcorn, Brooke, Bell, Berry, Beene, Cannon, Carter, Drane, Davis, Golladay, Gilleland, Greer, Hodges, Hughes, Kennedy, McDugald, McAfee, Pettus, Ramsay, Reynolds, Singleton, Stone, Stewart, Sharkey, Torrey, Talliaferro, Thompson, and Tait—28.

Nays—Messrs. Guion and White—2.

Ordered, That the title thereof be as stated.

Mr. Talliaferro asked and obtained leave to introduce a bill to be entitled an act to extend the time allowed for holding the probate court of Lafayette county, which was read the first time.

On motion of Mr. Talliaferro, the rule was suspended, and te bill read the second time by title.

On the further motion of Mr. Talliaferro, the rule was further suspended, the bill considered as engrossed, read the third time and passed.

Ordered, That the title thereof be as stated.

On motion of Mr. Hughes, the Senate took a recesss of ten minutes.

Recess having expired, the President called the Senate to order.

The following message was received from his Excellency the Governor, through his private secretary, Mr. McDonald, to-wit:

To the Senate and House of Representatives of the State of Mississippi:

I avail myself of the earliest opportunity, to lay before the Legislature, copies of a communication received on yesterday, from our Senators and Representatives in Congress.

The subject of which it treats, and the extraordinary means taken to evade the direct question of the Wilmot proviso, and yet, by the summary introduction of California as a State, to exclude the institution of domestic slavery from the richest portion of our newly acquired territory, have already been forcibly and ably presented to your consideration in the annual message of my predecessor.

The semi-official announcement in the letter now presented, of the probability of the consummation of this unjust measure by Congress, is calculated to arrest our most profound attention.

Considered in connection with all the attending circumstances, and the refusal of Congress, at their last session, to provide territorial governments for California and New Mexico, without restrictions against the introduction of slavery, we must regard this measure as an indirect mode of excluding slavery from the territories. The enemies of our institutions, checked in their mad career of direct aggression, by the firm position taken by the slaveholding States, now seek to accomplish the same ends by means less palpably unconstitutional, but equally subversive of our rights.

The violent agitation of the slavery question, which commenced even before the treaty with Mexico was ratified, and which has been kept up ever since, served the purpose of detering the citizens of the southern States, whose best blood had been shed in the acquisition of this rich territory, from hastening to share the fruits of our golden conquest.

In the midst of this agitation, and within twelve months after the final ratification of the treaty with Mexico, a special agent is dispatched accredited with all the influence of the Federal Cabinet, and with instructions to urge the floating population of that newly acquired territory, composed of persons of all nations, to form a constitution and claim admission into the Union as a sovereign State. The flattering proposition was accepted. An unorganized community of adventurers, some of them, it is true, bold and hardy

pioneers from our own country, but many of them aliens and strangers to our institutions, hastily assembled, and, as was anticipated by the planners of the movement, adopted as a part of their organic law, a provision excluding forever the slave property of a large portion of the States from the extensive and rich territory thus usurped.

And now, while yet the broad and deep stream of emigration is still flowing into that country, the admission of California into the Union as a sovereign State, with a restriction against slavery is demanded!

We do not deny to the people of an organized territory, the right to assemble and deliberately frame for themselves, a State Constitution with such republican features as they may prefer. We shall not be found opposing the calm and deliberate expression of the will of the people of any of the territories, on the subject of domestic slavery within their borders, when their full period of maturity for admission as a State, shall have arrived, but the clear principle of equal justice to all the States, demands, that the common territory of the States should be open for emigration and settlement to the citizens of all the States. Has this been permitted in the case of the territory of California? Is it not evident that her hasty admission is now demanded for no other purpose than to exclude slavery from her limits? Is it just, that a handful of adventurers, who shall first set foot upon any of our distant acquisitions, shall be permitted virtually to exclude the citizens of one-half of the States of the Union from the privileges of settlement and occupation?

But I forbear further comment upon this extraordinary and unprecedented measure. The motives for this hot haste are but too apparent.

I devoutly trust that yet the Congress of the United States will not consent to perpetrate this gross act of injustice upon the slaveholding States. To leave no means untried to avert it, I recommend a firm remonstrance against the present admission of California as a State with the restriction against slavery.

Should this measure be consummated, we may expect to see link by link, a chain of States excircling our Southwestern border, who, if they should embibe the hostile spirit displayed in the resolutions and acts of some of the Northern States, would become more dangerous to our prosperity and repose than foreign States. Such an event would in my opinion render it the duty of the Southern States to consult together, and in concert, to adopt such measures as shall effectually protect their rights and secure their safety; and give to the citizens of the slaveholding States some assurance of transmitting to their children an inheritance of peace and prosperity, and not of war and bloodshed. This opportunity will be afforded by the convention about to assemble at Nashville, to the deliberations of which we may safely submit this very interesting subject.

J. A. QUITMAN.

EXECUTIVE CHAMBER,
Jackson, Feb. 11, 1850.

WASHINGTON, January 21, 1850.

His Excellency,

JNO. A. QUITMAN, Governor, &c., &c.:

Sir—We the Senators and Reprentatives in Congress from Mississippi, feel it incumbent upon us to advise you and through you our common constituents, that we have a well defined opinion, that California will be admitted as a State of this Union, during the present session of Congress. The President earnestly recommended it, and we cannot be mistaken, in supposing that a majority of both Houses of Congress will be found to vote for it—our individual positions have undergone no change.—We regard the proposition to admit California as a State under all the circumstances of her application, as an attempt to adopt the "Wilmot proviso" in another form. But separated, as we are, from our constituents, and having no convenient means of consulting them as to their views on the new phase of this perplexing question, we desire, through you, to submit the single fact to the people and the legislature, that California will most likely obtain admission into the Union with her constitutional prohibition of slavery—and we beg leave to add, that we shall be greatly pleased to have such expression of opinion by the legislature, the Governor, and if practicable, by the people, as shall clearly indicate the course which Mississippi will deem it her duty to pursue in this new emergency.

Very respectfully, your ob't. serv'ts,

[Signed,] JEFF. DAVIS,
H. S. FOOTE,
J. THOMPSON,
W. S. FEATHERSTON,
WM. McWILLIE,
A. G. BROWN.

EXECUTIVE CHAMBER,
Jackson, Feb. 11, 1850.

I do hereby certify that the within and foregoing letter is a true copy of the original as filed in this office, the 11th day of February, 1850.

JAMES McDONALD,
Private Secretary, &c.

Which was read, and, on motion of Mr. Stone, was laid on the table for the present.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to-wit:

MR. PRESIDENT,—I am instructed by the House of Representatives, to inform the Senate, that their Hall is now in readiness for the reception of the Senate, to the end that the two Houses, in conformity to their joint resolution, proceed to the election of a United States Senator, and Librarian and Keeper of the Capitol.

The Senate forthwith repaired to the Hall of the House of Representatives preceded by the Sergeant-at-arms, and took the seats assigned them in the Hall of the House.

The President of the Senate having explained the object of the joint assemblage;

On motion of Mr. Cannon, of the Senate, the two Houses proceeded to the election of a United States Senator, *viva voce*.

Mr. Bell, of the Senate, nominated Roger Barton.

Mr. Talbert, of the House, nominated Jefferson Davis.

Mr. Crews, of the House, nominated A. G. Brown.

Mr. Brooke, of the Senate, nominated William A. Lake.

Mr. McNabb, of the House, nominated John I. Guion.

Mr. Ford, of the House, nominated William L. Sharkey.

Those who voved for Roger Barton, are,

Senators—Messrs. Bell, Berry, Beene, Drane, Golladay, Greer, Talliaferro, and Thompson—8.

Representatives—Messrs. Anderson, Brown, Buford, Byrn, Bell, Barden, Beene, Collins, Calhoun, Dunlap, Estelle, Echols, Guy, Hinds, Hemingway, Huie, Malone, Mott, Nabors, Neill, Rozell, Suratt, Thomas of M., Tison, and Webb—25, total 33.

Those who voted for Jefferson Davis, are,

Senators—Mr. President, Messrs. Catching, Cannon, Carter, Davis, Gilleland, Hodges, Hughes, Kennedy, McDugald, McAfee, Pettus, Ramsay, Singleton, and Stone—15.

Representatives—Mr. Speaker, Messrs. Adams, Armstrong, Aldridge, Ashe, Bynum, Barry, Blythe, Brooks, Cassidy, Clement, Crusoe, Durham, Dampier, Ellis, Foote, Gatlin, Griffin, Harrison, Jenkins, Johnson, Kelly, Kirkland, Kimball, Lynch, Lewis. McAfee, Magee, Martin, Matthews, Metcalf, Nelson, Noble, Rawls, Rogers, Stuart of M., Seal, Smith, Thomas of Yazoo, Thames, Talbert, Thurmond, Vaiden, Weathersby, Wall, Wilcox, Welsh, West, and Young—49, total 64.

Those who voted for A. G. Brown, are,

Senators—Mr. Torrey—1.

Representatives—Messrs. Crews and McInnis—2, total 3.

Those who voted for William A. Lake, are,

Senators—Messrs. Alcorn and Brooke—2.

Representatives—Messrs. Marble, Stewart of W.—2, total 4.

Those who voted for John I. Guion, are,

Senators—Messrs. Reynolds, Stewart, and White—3.

Representatives—Messrs. Baker of H., Catchings, Chisholm, Farrar, Myers, McNabb, Nash, Regan of C., Regan of Y., Starke, Smedes, and White—12, total 15.

Those who voted for William L. Sharkey, are,

Senators—Messrs. Guion, Sharkey, and Tait—3.

Representatives—Messrs. Arthur, Baker of P., Ford, Hughes, and Henry—5, total 8.

Mr. Trussell of the House voted for Jacob Thompson.

RECAPITULATION.

Roger Barton received	33 votes.
Jefferson Davis received	64 votes.
A. G. Brown received	3 votes.
William A. Lake received	4 votes.
John I. Guion received	15 votes.
William L. Sharkey received	8 votes.
Jacob Thompson received	1 vote.
Total vote cast	128
Necessary to a choice	65 votes.

Neither candidate having received a majority of all the votes cast, the two Houses proceeded to take a second vote. The name of A. G. Brown being withdrawn.

Those who voted for Roger Barton, are,

Senators—Messrs. Bell, Berry, Beene, Drane, Greer, Golladay, Reynolds, Talliaferro, and Thompson—9.

Representatives—Messrs, Anderson, Brown, Buford, Byrn, Bell, Barden, Beene, Baker, of P., Collins, Crews, Calhoun, Chisholm, Dunlap, Estelle, Echols, Guy, Hinds, Hemingway, Huie, Malone, Mott, Nabors, Neill, Rozell, Suratt, Thomas of M., Tison, and Webb—28, total 37.

Those who voted for Jefferson Davis, are,

Senators—Mr. President, Messrs. Catching, Cannon, Carter, Davis, Gilleland, Hodges, Hughes, Kennedy, McDugald, McAfee, Pettus, Ramsay, Singleton, Stone, Stewart, Torrey, and White—18.

Representatives—Mr. Speaker, Messrs. Adams, Armstrong, Arthur, Aldridge, Ashe, Bynum, Barry, Blythe, Brooks, Cassidy, Clement, Crusoe, Durham, Dampier, Ellis, Foote, Farrar, Gatlin, Griffin, Harrison, Jenkins, Johnson, Kelly, Kirkland, Kimball, Lynch, Lewis, Magee, Martin, Matthews, Metcalf, Marble, McInnis, Nelson, Noble, Rawls, Rogers, Stuart of M., Stewart of W., Starke, Seal, Smith, Thomas of Y., Thames, Trussell, Talbert, Thurmond, Vaiden, Weathersby, Wall, Welsh, West, and Young—55, total 73.

Those who voted for William A. Lake, are,

Senators—Messrs. Alcorn and Brooke—2.

Representatives, none—total 2.

Those who voted for John I. Guion, are,

Senators—none.

Representatives—Messrs. Baker of H., Catchings, Myers, McNabb, Nash, Regan of C., Regan of Y., Smedes, and White—9, total 9.

Those who voted for William L. Sharkey, are,

Senators—Messrs. Guion, Sharkey, and Tait—3.

Representatives—Messrs. Ford, Hughes, Henry, and Wilcox—4, total 7.

Mr. Barton of the House, voted for Jacob Thompson—1.

RECAPITULATION.

Roger Barton received	37 votes.
Jefferson Davis received	73 votes.
William A. Lake received	2 votes.
John I. Guion received	9 votes.
William L. Sharkey received	7 votes.
Jacob Thompson received	1 vote.
Total number of votes	129
Necessary to a choice	65

Hon. Jefferson Davis having received a majority of all the votes cast, was declared by the President, to be duly and constitutionally elected Senator in the Congress of the United States, for the term of six years from and after the 4th of March, 1851.

The two Houses then proceeded to the election of Librarian and Keeper of the Capitol, *viva voce*.

Mr. Metcalf, of the House, nominated John W. Patton.

Mr. Neill, of the House, nominated David Love.

Mr. Hodges, of the Senate, nominated Green Y. McNabb.

Those who voted for Mr. Patton, are,

Senators—Messrs. Alcorn, Berry, Beene, Catching, Cannon, Carter,, Davis, Golladay, Gilleland, Greer, McDugald, McAfee, Pettus, Ramsay, Singleton, Torrey, Thompson, and Tait—18.

Representatives—Mr. Speaker, Messrs. Barton, Brown, Buford, Bynum, Bell, Barden, Brooks, Baker of P., Crews, Clement, Durham, Dampier, Echols, Ellis, Gatlin, Hinds, Jenkins, Kelly, Kirkland, Lewis, Malone, McAfee, Magee, Martin, Matthews, Metcalf, Nelson, Noble, Rozell, Rawls, Rogers, Suratt, Stuart of M., Seal, Smith, Thomas of M., Thames, Trussell, Thurmond, Tison, Weathersby, Webb, Welsh, and Young—45, total 63.

Those who voted for Mr. Love, are,

Senators—Mr. President, Messrs. Brooke Bell, Drane, Guion, Hughes, Kennedy, Reynolds, Stewart, Sharkey, Talliaferro, and White—12.

Representatives—Messrs. Adams, Anderson, Armstrong, Arthur, Aldridge, Ashe, Byrn, Blythe, Beene, Cassidy, Collins, Calhoun, Catchings, Chisholm, Dunlap, Estelle, Ford, Foote, Farrar, Guy, Griffin, Hemingway, Huie, Hughes, Harrison, Henry, Johnson, Kirkland, Mott, Marble, Myers, McInnis, Nabors, Neill, Nash, Regan of C., Regan of Y., Stewart of W., Starke, Smedes, Thomas of Y., Talbert, Vaiden, Wall, White, Wilcox, and West—47, total 59.

Those who voted for Mr. McNabb, are,
Senators—Messrs. Hodges and Stone—2.
Representatives—Messrs. Lynch and McNabb—2, total 4.

RECAPITULATION.

John W. Patton received.....63 votes.
David Love received.....59 votes.
Green Y. McNabb received.....4 votes.

Total number of votes.....126
Necessary to a choice.....64

Neither candidate having received a majority of all the votes cast, the two Houses proceeded to a second vote. The name of Mr. McNabb being withdrawn.

Those who voted for Mr. Patton, are,

Senators—Messrs. Alcorn, Berry, Beene, Catching, Cannon, Carter, Davis, Golladay, Gilleland, Greer, Hodges, Hughes, McDugald, McAfee, Pettus, Ramsay, Singleton, Stone, Torrey, Talliaferro, and Thompson—21.

Representatives—Mr. Speaker, Messrs. Barton, Brown, Buford, Byrn, Bell, Brooks, Beene, Baker of P., Cassidy, Crews, Clement, Dampier, Estelle, Echols, Ellis, Foote, Gatlin, Griffin, Hinds, Jenkins, Kelly, Kimball, Lynch, Lewis, Malone, McAfee, Magee, Martin, Matthews, Metcalf, Nelson, Noble, Neill, Rozell, Rawls, Rogers, Suratt, Stuart of M., Smedes, Seal, Smith, Thomas of M., Thames, Trussell, Thurmond, Tison, Weathersby, Webb, Welsh, and Young—55, total 71.

Those who voted for Mr. Love, are,

Senators—Mr. President, Messrs, Brooke, Bell, Drane, Guion, Kennedy, Reynolds, Stewart, Sharkey, Tait, and White—11.

Representatives—Messrs. Adams, Anderson, Armstrong, Arthur, Aldridge, Ashe, Byrn, Barden, Blythe, Baker, of H., Collins, Calhoun, Catchings, Chisholm, Durham, Dunlap, Ford, Farrar, Guy, Hemingway, Huie, Hughes, Harrison, Henry, Johnson, Kirkland, Mott, Marble, Myers, McInnis, McNabb, Nabors, Neill, Nash, Regan of C., Regan of Y., Stewart of W., Starke, Thomas of Y., Talbert, Vaiden, Wall, White, Wilcox, and West—45, total 56.

RECAPITULATION.

John W. Patton received.....71 votes.
David Love received.....56 votes.

Total number of votes.....127
Necessary to a choice.....64

Mr. Patton having received a majority of all the votes cast, was

declared by the President to be duly and constitutionally elected Librarian and Keeper of the Capitol, for the term prescribed by law.

The two Houses having accomplished the business of their joint assemblage, the Senate withdrew to their Chamber.

Mr. Cannon called from the table the message this day received from his Excellency, the Governor, upon the subject of admitting California into the Union, by the Congress of the United States, &c.

Mr. Cannon moved that 500 copies of said message be printed for the use of the Senate.

Mr. Hodges moved that 5000 copies of said message be printed for the use of the Senate.

Mr. Pettus moved that said message be referred to the committee on Federal and State Relations.

The vote was first taken on the vote of Mr. Pettus to refer; which was decided in the affirmative.

On motion of Mr. Stone, the Senate adjourned until to-morrow morning, 10 o'clock.

WEDNESDAY. FEBRUARY 13, 1850.

The Senate met pursuant to adjournment.

The journal of yesterday was read.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

MR. PRESIDENT—The House of Representatives have passed bills of the following titles:

A bill to be entitled an act to amend an act entitled an act to incorporate Black Hawk Male and Female Academy, in the county of Carroll;

A bill to be entitled an act to extend the time of the probate court in the counties of Carroll and Tippah;

In which I am instructed to desire the concurrence of the Senate.

Mr. McAfee presented the petition of Arabella J. Stewart; which was read, and accompanied said petition with a bill, to be entitled an act for the relief of Arabella Stewart; which was read the first time.

On motion of Mr. McAfee, the rule was suspended and the bill read the second time by title.

On the further motion of Mr. McAfee, the rule was further suspended, the bill considered as engrossed, read the third time and passed.

Ordered, That the title thereof be as stated.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

Mr. President—The Speaker of the House of Representatives has signed bills with the following titles, to wit:

An act to incorporate Magnolia Chapter, No. 7, of Free and Accepted Masons, in the town of Brownsville, in the county of Hinds, and Houston Chapter, No. 23, of Free and Accepted Masons, in the town of Houston, county of Chickasaw;

An act to regulate the probate court in Scott county;

An act to extend the time of holding the probate court of Panola county;

An act to authorize Abner Reeves, administrator of the estate of Albert G. Hill, deceased, to deliver the same to Robert L. Render, and for other purposes;

An act declaring Yallobusha river a navigable stream;

An act extending the privileges of the act of February 10th, 1848, entitled an act extending certain privileges to Masons, Odd Fellows, Sons of Temperance, Literary, Benevolent, and other societies and companies, to certain associations not included within the terms of said act;

An act amendatory of the laws relative to divorce;

An act to authorize the clerks of the circuit courts of the counties of Hinds and Greene to make a full and complete record of all final judgments now unrecorded, and to prepare indexes for the minute books and dockets of said courts;

An act for the benefit of Oscar Glenalvin Wadsworth, of Simpson county;

A resolution of the State of Mississippi in relation to celebrating the 22d February, instant;

An act to incorporate the town of Bankston, in the county of Choctaw;

Which I am instructed to present to the Senate for the signature of the President.

The President signed the bills therein named.

Mr. Carter asked and obtained leave to offer the following resolution, to wit:

Resolved, That the Judiciary Committee be requested to examine into the present mode of bringing suit against the bonds of retailers, when they violate the provisions of their obligations, whether a change is necessary or not; if necessary, they will report a bill to that effect.

Which was read, and, on motion of Mr. Carter, was adopted.

Mr. Sharkey, from a select committee, made the following report, to wit:

Mr. President—The select committee to whom was referred a bill to be entitled an act to incorporate the Hill City Lodge, No. 121, of Free and Accepted Masons, in the city of Vicksburg, have

had the same under consideration, and have instructed me to report said bill back to the Senate and recommend its passage.

Which was read, and, on motion of Mr. Sharkey, was received and agreed to.

Mr. Beene, from the committee on Engrossed Bills, made the following report, to wit:

Mr. President—The committee on Engrossed Bills have examined bills of the following titles, to wit:

A bill to be entitled an act to change the name of Christopher Lynch Foster, and for other purposes;

A bill to be entitled an act for the benefit of Elizabeth Samuel Byrn, a minor, in Noxubee county;

And have found the same correctly engrossed.

Mr. Berry, from the committee on Enrolled Bills, made the following report, to wit:

Mr. President—The joint standing committee on Enrolled Bills have this day presented to his Excellency, the Governor, for his approval and signature, bills of the following titles, to wit:

An act relative to drawing jurors in the county of Amite;

An act to change the name of James Irving Mills to that of James Irving Ruff;

An act to amend an act entitled an act to annex, in the county of Adams, township number eight, of range two west, to township number eight, of range three west, and for other purposes:

An act to change the name of Mary Ann Eliza Ligon to that of Mary Ann Eliza McAllister, and for other purposes;

An act to change the time of holding the probate court in the county of Tippah;

An act to amend an act entitled an act to increase the fees of certain officers in the county of Coahoma;

An act for the relief of Thomas Archibald Reid and Rufus B. Ragan;

An act for the relief of Hellen S. Johnston, a minor, of Madison county.

Mr. Berry, from the committee on Enrolled Bills, made the following report, to wit:

Mr. President—The joint standing committee on Enrolled Bills have this day examined bills of the following titles, viz:

An act to provide for the erection, repair and preservation of levees on the Mississippi river, in the county of Issaquena;

An act for the relief of Jefferson Davis, Colonel of the First Regiment of Mississippi Rifles, during the war with Mexico;

An act to incorporate the New Orleans and Jackson Railroad Company, and for other purposes;

And have found the same correctly enrolled.

Mr. Beene asked and obtained leave to introduce a bill to be entitled an act to establish a turnpike road across the Tombigbee swamp, near Fulton; which was read the first time.

On motion of Mr. Beene, the rule was suspended and the bill read the second time by title.

On the further motion of Mr. Beene, the rule was further suspended, the bill considered as engrossed, read a third time and passed.

Ordered, That the title thereof be as stated.

The Senate proceeded to the consideration of the orders of the day:

A bill to be entitled an act to provide for the sale of the 500,000 acres of land donated to the State of Mississippi, by the Congress of the United States, for purposes of internal improvement, and to repeal an act with the same title, approved February 23d, 1848, was taken up.

On motion of Mr. Brooke, the consideration of said bill was postponed until 10 o'clock to-morrow morning, in committee of the whole.

A bill to be entitled an act to establish a ferry across the back bay of Biloxi, and for other purposes, was read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to assess the number of cotton bales made in the State of Mississippi, in each and every year, was read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to relinquish the claim of the State of Mississippi, by escheat, to the estate of Antoine Martin, deceased, to the heirs and legal representatives of John Nixon, Esq., deceased, and for other purposes, was read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to authorize the treasurer of the county of Rankin to distribute certain money therein named, was read the second time.

On motion of Mr. Hodges, the rule was suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act for the relief of O. P. Casey, was read the second time.

On motion of Mr. Berry, said bill was referred to the committee on Claims.

A bill to be entitled an act to incorporate Madison Division, No. 19, Sons of Temperance, in the town of Canton, Madison county, Mississippi, was read the second time.

On motion of Mr. White, the rule was suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to amend an act entitled an act to

reduce the per diem allowance of the board of police of Jackson county, was read the second time.

On motion of Mr. Ramsay, the rule was suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to declare Dog river, in the county of Jackson, a navigable stream, was read the second time.

On motion of Mr. Ramsay, the rule was suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act for the relief of the trustees of schools and school lands, in township number ten, of range number one east of the basis meridian, and west of Pearl river, and for other purposes, was read the second time.

On motion of Mr. Torrey, the rule was suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to abolish the per diem pay of the probate judges and members of the board of county police, so far as relates to the county of Jones, and for other purposes, was read the second time.

A bill to be entitled an act to amend an act to incorporate the Canton and Jackson Railroad Company, approved February 1st, 1841, and passed February 7th, 1848, was read the second time.

On motion of Mr. Singleton, said bill was referred to a select committee of three.

Messrs. Singleton, Stewart and White were appointed said committee.

A bill to be entitled an act for the relief of John Buttrill, of Tishemingo county, was read the first time.

On motion of Mr. Reynolds, the rule was suspended and the bill read the second time by title.

On the further motion of Mr. Singleton, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to provide for the common school within the corporation the town of Woodville, was read the first time.

On motion of Mr. Stewart, the rule was suspended, the bill read the second time by title.

On the further motion of Mr. Stewart, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to amend an act entitled an act to incorporate the town of Oakland, in Yallobusha county, approved February 28th, 1848, was read the first time.

A bill to be entitled an act to declare Old Town Creek a navigable stream, was read the first time.

On motion of Mr. Cannon, the rule was suspended and the bill read the second time by title.

On motion of Mr. Beene, said bill was referred to a select committee of three.

Messrs. Beene, Thompson and Bell were appointed said committee.

A bill to be entitled an act to amend an act to incorporate the town of Louisville, in the county of Winston, approved February 16th, 1838, was read the first time.

On motion of Mr. Hughes, the rule was suspended and said bill read a second time by title.

On the further motion of Mr. Hughes, said bill was referred to a select committee of three.

Messrs. Hughes, Stone and Carter were appointed said committee.

A bill to be entitled an act to provide for the education of poor children, in the county of Lawrence, was read the first time.

On motion of Mr. Stone, the rule was suspended and the bill read the second time by title.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

MR. PRESIDENT—The Speaker of the House of Representatives has signed bills of the following titles, to wit:

An act to provide for the erection, repair and preservation of levees on the Mississippi river, in the county of Issaquena;

An act for the relief of Jefferson Davis, Colonel of the First Regiment of Mississippi Rifles, during the war with Mexico;

An act to incorporate the New Orleans and Jackson Railroad Company, and for other purposes;

Which I am instructed to present to the Senate for the signature of the President.

The President signed the bills therein named.

The Senate again resumed the consideration of the orders of the day:

A bill to be entitled an act to prescribe the time of holding the probate court in Sunflower county, was read the first time.

On motion of Mr. Brooke, the rule was suspended and the bill read the second time by title.

On the further motion of Mr. Brooke, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to provide for the purchase of two hundred and fifty copies of Smedes' Digest, was read the third time and lost.

A bill to be entitled an act to amend an act entitled an act to change the mode of collecting revenue of hawkers and pedlars, approved 28th February, 1846, was read the third time and passed.

Mr. Davis called for the ayes and nays thereon, which are as follows, to wit:

Ayes—Messrs. Bell Guion, Hughes, McDugald, McAfee, Pettus, Ramsay, Singleton, Stone, Stewart, Sharkey, Torrey, Tait and White—14.

Nays—Messrs. Barter, Drane, Davis, Golladay, Gilleland, Greer, Hodges, Talliaferro and Thompson—11.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to change the mode of obtaining license to peddle, and for other purposes, was read the third time and passed.

Ordered, That the title thereof be as stated.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, viz:

Mr. President—The House of Representatives have passed Senate bills of the following titles, viz:

A bill to be entitled an act to reduce into one the several acts heretofore passed in relation to sixteenth sections and common schools, so far as relates to the counties of Hinds, Madison and Claiborne;

A bill to be entitled an act to remove the civil disabilities of Telemachus S. Wyatt, a minor, of Holmes county;

And have made sundry amendments thereto, in which I am instructed to desire the concurrence of the Senate.

The Senate again resumed the consideration of the orders of the day:

A bill to be entitled an act to incorporate Almucha Academy, was read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act for the relief of the State Commissioner, was read the third time and passed.

On motion of Mr. White, the rule was suspended and said bill read the second time by title.

On the further motion of Mr. White, said bill was referred to the committee on Propositions and Grievances.

A bill to be entitled an act to provide for the payment of jurors, when the judges fail to appear and hold court, was read the first time.

A bill to be entitled an act to form an additional judicial district in the State of Mississippi, and for other purposes, was read the third time and lost.

Mr. Bell called for the ayes and nays thereon, which are as follows, to wit:

Ayes—Messrs. Alcorn, Brooke, Guion, Reynolds, Stewart, and Sharkey—6.

Nays—Messrs. Bell, Berry, Beene, Catching, Cannon, Carter, Drane, Davis, Golladay, Gilleland, Greer, Hodges, Hughes,

McDugald, McAfee, Pettus, Ramsay, Singleton, Stone, Torrey, Tallaiferro, Thompson, Tait and White—24.

A bill to be entitled an act to change the name of Christopher Lynch Foster, and for other purposes, was read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act for the relief of Elizabeth Samuel Byrn, a minor, in Noxubee county, was read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Cannon called from the table a bill to be entitled an act to authorize the State of Mississippi to subscribe for stock in the Mobile and Ohio Railroad Company, and for other purposes; which, on motion of Mr. Cannon, was made the special order of the day, in committee of the whole, on Friday next, at 11 o'clock, A. M.

On motion of Mr. Ramsay, the Senate adjourned until to-morrow morning, 10 o'clock.

THURSDAY, February 14, 1850.

The Senate met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Walker.

The journal of yesterday was read.

Mr. Sharkey presented the petition of the sheriff of Warren county, which, on motion of Mr. Sharkey, was referred to the commmittee on Claims.

Mr. Brooke asked and obtained leave to introduce a bill to be entitled an act to remove the civil disabilities of George Washington Lafayettee Boyd; which was read the first time.

On motion of Mr. Brooke, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Brooke, the rule was further suspended, the bill considered as engrossed, read the third time and passed.

Ordered, that the title thereof be as stated.

Mr. Alcorn asked and obtained leave to introduce a bill to be entitled an act to incorporate the Panola and Coahoma Plank Road company; which was read the first time.

On motion of Mr. Alcorn, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Alcorn, said bill was ordered to be engrossed for a third reading on to-morrow.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

MR. PRESIDENT—The House of Representatives have concured in the amendments made by the Senate to the House bills of the following titles:

A bill to entitled an act for the relief of the sheriff of Washington county;

A bill to be entitled an act to reduce the bonds of sheriffs and coroners in the counties of Neshoba, Leake and Newton;

A bill to be entitled an act to incorporate the town of Biloxi, in the county of Harrison;

A bill to be entitled an act to amend an act reducing the fees of certain officers therein named, approved 10th February, 1844, so far as the same relates to the counties of Harrison, Washington and Tunica;

A bill to be entitled an act for the relief of Lewis S. Jones and others.

The House of Representatives have passed Senate bills with the following titles:

A bill to be entitled an act to authorise P. M. Oliver and John Robertson, or their assigns, to build a turnpike road through the swamp of Coldwater, in Desoto county;

A bill to be entitled an act to incorporate the Jacinto Male Academy, and for other purposes;

A bill to be entitled an act for the relief of Elijah Dupree, jr.;

A bill to be entitled an act to limit the duties of sheriffs in certain counties;

A bill to be entitled an act for the relief of William Owens, a minor of Madison county; and have made sundry amendments thereto, in which I am instructed to desire the concurrence of the Senate.

And have passed Senate bills of the following titles:

A bill to to be entitled an act to authorise the Board of Police in the county of Issaquena to assign hands to work on Deer Creek;

A bill to be entitled an act concerning process in the Circuit court of Adams county, and for other purposes;

A bill to be entitled an act to incorporate the Panola and Desoto county Plank Road company;

A bill to be entitled an act to incorporate the Polkville Male and Female Academy, in the county of Smith;

A bill to be entitled an act to incorporate the town of Shieldsboro', and for other purposes;

A bill to be entitled an act to incorporate Pearl River Female Academy, in township seven, range two west, in Madison county;

A bill to be entitled an act to extend the time of holding the Circuit court of Lawrence county;

A bill to be entitled an act to attach the county of Sunflower to the District Chancery court, for the Northern District of Mississippi;

A bill to be entitled an act to incorporate the town of Richland, in the county of Holmes;

A bill to be entitled an act for the benefit of the minor heirs of Solomon R. Vickers, deceased;

A bill to be entitled an act to establish a Turnpike road across Tombigbee swamp, near Fulton;

A bill to be entitled an act for the relief of Ira G. Kellough;

A bill to be entitled an act for the benefit of William Henry John Anderson Derald;

The House of Representatives have passed bills of the following titles, to wit:

A bill to be entitled an act to reduce the rate of license in certain counties therein named;

A bill to be entitled an act to change the line between Lafayette and Marshall counties;

A bill to be entitled an act to authorise Richard Pipkins to hawk and peddle free of license in the counties of Greene and Perry;

A bill to be entitled an act to authorise John Standin to hawk and peddle within the bounds of the county of Tishemingo, without license for the same;

A bill to be entitled an act to authorise John T. Oats to establish a ferry across Big Bear Creek, near the town of Eastport, in Tishemingo county;

A bill to be entitled an act to amend an act entitled an act to change the time of holding the courts of the 6th judicial Circuit court District, approved February 9, 1848, with an amendment by way of ryder;

A bill to be entitled an act providing an appropriation to the Washington National Monument;

A bill to be entitled an act to provide for the payment of teachers employed under an act to establish common schools, and for other purposes, approved March 4th, 1846;

A bill to be entitled an act to incorporte the town of Hillsboro, in the county of Scott;

A bill to be entitled an act to incorporate the town of Shongalo, in Carroll county;

A bill to be entitled an act to change the name of Mrs. Judith Edwards to that of Mrs. Judith Harrison;

A bill to be entitled an act for the relief of Elisha Jacobs of Amite county;

A bill to be entitled an act for the relief of Moses G. Robinson;

A bill to be entitled an act to change the name of James Vance;

Mr. Brooke asked and obtained leave to introduce a bill to be entitled an act to regulate appeals or writs of error from the Probate courts of this State, when taken or presented by executors or administrators; which was read the first time.

On motion of Mr. Brooke, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Brooke, said bill was referred to the Judiciary committee.

Mr. Berry, from the committee on Enrolled Bills, made the following report, to-wit:

MR. PRESIDENT—The joint standing committee on Enrolled Bills have this day examined bills of the following titles, to-wit:

An act to incorporate Madison Division, No. 19, Sons of Temperance, in the town of Canton, Madison county, Mississippi;

An act to prescribe the time of holding the Probate court in Sunflower county;

An act to declare Dog river, in the county of Jackson a navigable stream;

An act to authorise the treasurer of the county of Rankin to distribute certain money therein named;

An act to amend an act entitled an act to reduce the per diem allowance of the Board of Police of Jackson county;

An act to provide for common schools within the corporation of Woodville;

An act to establish a ferry across the back bay of Biloxi, and for other purposes;

An act to relinquish the claim of the State of Mississippi, by escheat, to the estate of Antoine Martin, deceased, to the heirs and legal representatives of John Nixon, Esq., deceased, and for other purposes;

An act to repeal an act to establish a system of common schools, and for other purposes, approved March 4, 1846, so far as relates to the county of Attala, and for other purposes;

An act for the relief of John Buttrell of Tishemingo county;

An act to assess the number of cotton bales made in the State of Mississippi, in each and every year;

An act to amend an act entitled an act to amend an act reducing the fees of certain officers therein named, approved 10th of February, 1844, so far as relates to the counties of Harrison, Washington and Tunica, approved February 24, 1848;

An act to reduce the bonds of sheriffs and coroners in the counties of Neshoba, Leake and Newton;

An act for the relief of Lewis S. Jones and others;

An act for the benefit of the sheriff of Washington county;

An act for the relief of the trustees of schools and school lands, in township number 10, of range number 1, east of the basis meridian, and west of Pearl river, and for other purposes;

And found the same correctly enrolled.

Mr. Tait asked and obtained leave to call up a bill to be entitled an act to authorise Peter M. Oliver and John Robertson, or their assigns to build a turnpike road through the swamp of Coldwater,

in Desoto county, with a House amendment thereto; which amendment was read.

Mr. Tait moved to disagree to said amendment, which was decided in the affirmative.

Mr. Talliaferro asked and obtained leave to introduce a bill to be entitled an act to authorise the judges of the High Court of Errors and Appeals to meet at Oxford and hear the argument of cases; which was read the first time.

On motion of Mr. Talliaferro, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Talliaferro, said bill was referred to the Judiciary committee.

The Senate proceeded to the consideration of the orders of the day:

A bill to be entitled an act to abolish the per diem pay of the Judge of Probate and members of the Board of Police so far as relates to the county of Jones, and for other purposes, was read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to provide for the education of poor children in the county of Lawrence, was read the second time.

On motion of Mr. Stone, the rule was suspended, the bill read the third time and passed.

Ordered, that the title thereof be as stated.

The Senate resolved itself into committee of the whole on a bill to be entitled an act to provide for the sale of the 500,000 acres of land donated to the State of Mississippi by the Congress of United States, for purposes of internal improvement, and to repeal an act with the same title, approved February 23d, 1848, Mr. Greer in the chair; and, after some time spent therein, the committee rose, and Mr. Greer reported said bill back to the Senate without amendment, and asked leave to sit again on next Thursday, at 11 o'clock, A. M.

On motion of Mr. Greer, the report was received and agreed to.

Mr. Davis asked and obtained leave to call up a bill from the House of Representatives, to be entitled an act for the relief of Moses G. Robinson; which was read the first time.

The rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Davis, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Davis asked and obtained leave to call up a bill from the House of Representatives, to be entitled an act for the relief of Elisha Jacobs, of Amite county; which was read the first time.

The Senate again resumed the consideration of the orders of the day:

A bill to be entitled an act to amend an act entitled act to in-

corporate the town of Oakland, in Yalobusha county, approved February 28, 1848, was read the second time.

On motion of Mr. Gilleland, the rule was suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to provide for the payment of jurors when the judges fail to to appear and hold courts, was read the second time.

On motion of Mr. Carter, said bill was laid on the table.

A House amendment made to a Senate bill to be entitled an act to reduce into one the several acts heretofore passed in relation to sixteenth sections and common schools, so far as relates to the counties of Hinds, Madison and Claiborne, was read, and, on motion of Mr. Golladay, said amendment was disagreed to so far as relates to Yalobusha county.

A bill to be entitled an act to extend the terms of the Probate courts in the counties of Carroll and Tippah, was read the first time.

On motion of Mr. Gilleland, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Berry, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to amend an act to incorporate the Black Hawk Male and Female Academies, in the county of Carroll, was read the first time.

On motion of Mr. Kennedy, the rule was suspended, and the bill read a second time by title.

On the further motion of Mr. Kennedy, the rule was further susdended, the bill read a third time and passed.

Ordered, that the title thereof be as stated.

A House amendment to a Senate bill to be entitled an act to remove the civil disabilities of Telemacus S. Wyatt, a minor, of Holmes county, was read, and, on motion of Mr. Brooke, was concurred in.

Mr. Berry, from the committee on Enrolled Bills, made the following report, to-wit:

Mr. President—The joint standing committee on Enrolled Bills have this day presented to his Excellency the Governor, for his approval and signature, bills of the following titles, to-wit:

An act for the benefit of Oscar Glenalvin Wardsworth, of Simpson county;

An act to authorize the clerks of the Circuit courts of the counties of Hinds and Greene to make a full and complete record of all final judgments now unrecorded, and to prepare indexes for the minute books and dockets of said courts;

An act to incorporate the town of Bankston, in the county of Choctaw;

A resolution of the Legislature of the State of Mississippi, in relation to celebrating the 22d of February, instant;

An act to authorise Abner Reeves, administrator of the estate of Albert G. Hill, deceased, to deliver the same to Robert L. Render, and for other purposes;

An act amendatory of the laws relative to divorce;

An act to incorporate Magnolia Chapter, No. 7, of Free and Accepted Masons, in the town of Brownsville, in the county of Hinds; and Houston Chapter, No. 23, of Free and Accepted Masons, in the town of Houston, in the county of Chickasaw;

An act declaring Yalobusha river a navigable stream:

An act to change the time of holding the Probate court of Panola county;

An act extending the privileges of the act of February 10th, 1848, entitled an act extending certain privileges to Masons, Odd Fellows, Sons of Temperance, Literary, Benevolent and other societies and companies, to certain associations not included within the terms of said act;

An act to provide for the erection, repair and preservation of levees on the Mississippi river, in the county of Issaquena;

An act for the relief of Jefferson Davis, Colonel of the First Regiment of Mississippi Rifles, during the war with Mexico;

An act to incorporate the New Orleans and Jackson Railroad Company, and for other purposes;

An act to regulate the probate court of Scott county.

The Senate again resumed the consideration of the orders of the day;

A bill to be entitled an act to incorporate Hill City Lodge No. 121, of Free and Accepted Masons, in the city of Vicksburg, was read the second time.

On motion of Mr. Sharkey, the rule was suspended and the bill read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Beene asked and obtained leave to introduce a bill to be entitled an act to amend the law on the subject of special terms of the circuit courts; which was read the first time.

On motion of Mr. Beene, the rule was suspended and the bill read the second time by title.

On the further motion of Mr. Beene, said bill was referred to the Judiciary Committee.

Mr. Torrey asked and obtained leave to introduce a bill to be entitled an act to amend the several acts in relation to courts of probate; which was read the first time.

On motion of Mr. Torrey, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Torrey, said bill was referred to the Judiciary Committee.

Mr. Beene, from a select committee, made the following report, to wit:

Mr. President—The select committee to whom was referred a bill to be entitled an act to declare Old Town Creek a navigable stream, have had the same under consideration, and have instructed me to report an amendment thereto, which is herewith submitted, and recommend the adoption thereof; which amendment is as follows, to wit:

Amend by adding, at the end of the first section, the following words: "*Provided, however*, that nothing in this act contained shall in any manner interfere with any bridge heretofore built on said stream;" which was read, and, on motion of Mr. Beene, was received and agreed to, and the bill therein reported, to be entitled

An act to declare Old Town Creek a navigable stream, was read the third time, as amended, and passed.

Ordered, That the title thereof be as stated.

Mr. Hughes asked and obtained leave to introduce a bill to be entitled an act to authorize the taking of depositions of non-resident witnesses, in cases pending before justices of the peace; which was read the first time.

On motion of Mr. Hughes, the rule was suspended and the bill read the second time by title.

On the further motion of Mr. Hughes, the bill was referred to the Judiciary Committee.

The following message was received from his Excellency the Governor, through his Private Secretary, Mr. McDonald, to wit:

Mr. President—I am instructed by his Excellency, the Governor, to inform the Senate that he has approved and signed bills with the following titles, to wit:

An act to incorporate the De Soto County Manufacturing Company;

An act to establish a system of common schools in Yazoo city;

An act to enable the commissioners appointed by an act entitled act to remove the county seat of Sunflower county, approved March 5th, 1846, to settle their accounts as such commissioners with the board of police of said county, and for other purposes.

Mr. Hughes asked and obtained leave to introduce a bill to be entitled an act to regulate damages in bills of exchange; which was read the first time.

On motion of Mr. Hughes, the rule was suspended and the bill read the second time by title.

On the further motion of Mr. Hughes, said bill was referred to the Judiciary Committee.

Mr. Greer asked and obtained leave to call up a bill from the House of Representatives to be entitled an act to change the time of holding the circuit courts of Marshall and Lafayette counties; which was read the first time.

On motion of Mr. Greer, the rule was suspended and the bill read the second time by title.

On the further motion of Mr. Greer, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Hughes asked and obtained leave to introduce a bill to be entitled an act concerning foreign executors, administrators and guardians; which was read the first time.

On motion of Mr. Hughes, the rule was suspended and said bill read the second time by title.

On the further motion of Mr. Hughes, said bill was referred to the Judiciary Committee.

Mr. Hughes asked and obtained leave to introduce a bill to be entitled an act to regulate the commissions of auctioneers; which was read the first time.

On motion of Mr. Hughes, the rule was suspended and the bill read the second time by title.

On the further motion of Mr. Hughes, said bill was referred to the committee on Finance.

Mr. Reynolds asked and obtained leave to call up a bill to be entitled an act to incorporate the Jacinto Male Academy, and for other purposes, and the amendment made by the House of Representatives thereto; which was read.

Mr. Reynolds moved that said amendment be disagreed to.

On motion of Mr. Pettus, said bill and amendment were laid on the table.

On motion of Mr. Alcorn, the Secretary of the Senate was instructed to call upon his Excellency, the Governor, for a bill to be entitled an act for the relief of Lomax Commack, which has passed both Houses of the Legislature, and been sent to him for his approval and signature.

On motion of Mr. Alcorn, the Senate adjourned until to-morrow morning, 10 o'clock.

FRIDAY, FEBRUARY 15, 1850.

The Senate met pursuant to adjournment; and was opened with prayer by the Rev. Mr. Lane.

The journal of yesterday was read.

Mr. Berry presented the memorial of the president and directors of the Mobile and Ohio railroad company, which was read, and, motion of Mr. Berry, was laid on the table.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to-wit:

Mr. President—The House of Representatives have concurred in the joint resolution of the Senate, setting apart Tuesday next, the 19th inst., for the two Houses to meet in the Representative Hall, for the purpose of electing a superintendent and clerk of the penitentiary; and have made the following amendment thereto:

Strike out "Tuesday, 19th inst.," and insert, "Saturday, the 16th inst."

In which I am instructed to desire the concurrence of the Senate.

Mr. Berry, from the committee on Enrolled Bills, made the following report, to-wit:

Mr. President—The joint standing committee on Enrolled Bills, have this day examined bills of the following titles, viz:

An act concerning processes of the Circuit Court of Adams county, and for other purposes;

An act to incorporate the Matubba Plank Road Company;

An act for the benefit of William Henry and John Anderson Derald;

An act to incorporate the Polkville Male and Female Academy, in the county of Smith;

An act to attach the county of Sunflower to the District Chancery Court, for the Northern Dirtrict of the State of Mississippi;

An act to authorize the Board of Police for the county of Issaquena, to assign hands to work on Deer Creek;

An act for the relief of Ira G. Killough;

An act to extend the time of holding the Circuit Court in Lawrence county;

An act for the benefit of the minor heirs of Solomon R. Vickers, deceased;

An act to incorporate the town of Rickland, in the county of Holmes;

An act to incorporate the town of Shieldsborough, and for other purposes;

An act to incorporate Pearl River Female Academy, in township seven, range two west, in Madison county;

An act to incorporate the town of Biloxi, in the county of Harrison;

An act to abolish the per diem pay of the Judges of Probate, and members of the Board of County Police of Jones county, and for other purposes;

And found the same correctly enrolled.

Mr. Stone, from the Judiciary committee, made the following report, to-wit:

Mr. President—The Judiciary committee, to whom was referred a bill to be entitled, an act to regulate appeals or writs o

error from the probate court of this State, when taken or prosecuted by executors or administrators, have had the same under consideration, and have instructed me to report that legislation is inexpedient, and ask to be discharged;

Which was read, and, on motion of Mr. Stone, was received and agreed to.

Mr. Stone, from the committee on the Judiciary, made the following report, to-wit:

Mr. President—The committee on the Judiciary have had under consideration an act to amend the several acts in relation to the courts of probates, and instructed me to report back the bill to the Senate, and recommend its passage;

Which was read, and, on motion of Mr. Stone, was received and agreed to.

The following message was received from the House of Representatives, through their clerk, Mr. Russell:

Mr. President—The House of Representatives has signed bills of the following titles, to-wit:

An act to incorporate Madison Division No. 19, Sons of Temperance, in the town of Canton, Madison county;

An act to prescribe the time of holding the Probate Court of Sunflower county;

An act to declare Dog river, in the county of Jackson, a navigable stream;

An act to authorize the Treasurer of the county of Rankin to distribute certain moneys therein named;

An act to amend an act entitled, an act to reduce the per diem allowance of the Board of Police of Jackson county;

An act to provide for Common Schools within the corporation of Woodville;

An act to establish a ferry across the back bay of Biloxi, and for other purposes;

An act to relinquish the claim of the State of Mississippi by escheat, of Antoin Martin, deceased, to the heirs and legal representatives of John Nixon, deceased, and for other purpose;

An act to repeal an act to establish a system of Common Schools, and for other purposes, approved March, 4, 1846, so far as relates to the county of Attala, and for other purposes;

An act for the relief of John Butrell, of Tishemingo county;

An act to assess the number of Cotton Bales made in the State of Mississippi, in each and every year;

An act to amend an act entitled, an act to amend an act reducing the fees of certain officers therein named, approved 10th of Feb., 1844, so far as the same relates to the counties of Harrison, Washington, and Tunica, approved Feb. 24, 1848;

An act to reduce the bonds of Sheriffs and Coroners in the counties of Neshoba, Leake, and Newton;

An act for the relief of Lewis S. Jones and others;

An act for the benefit of the Sheriff of Washington county;

An act for the relief of the Trustees of School and School Lands, in township No. 10, of range No. 1 east, of the basis meridian, and west of Pearl river, and for other purposes;

Which I am instructed to present to the Senate for the signature of the President.

The House of Representatives have passed bills with the following titles, to-wit:

A bill to be entitled an act to refund certain moneys therein named, to V. Hamilton, tax collector of the county of Sunflower;

A bill to be entitled an act for the relief of the Sheriff of Newton county;

In which I am instructed to desire the concurrence of the Senate.

Mr. Stone, from the committee on the Judiciary, made the following report, to-wit:

Mr. President—The committee on the Judiciary, to whom was referred the manner of bringing suits on licensed retailers' bonds, have had the same under consideration and instructed me to report the following bill, and recommend its passage;

Which was read, and, on motion of Mr. Stone, was received and agreed to.

And, the bill therein reported, to be entitled, an act to amend an act to regulate the mode of obtaining license to sell vinous or spirituous liquors, approved Feb. 22, 1842, was read the first time.

Mr. Sharkey, from a select committee, made the following report, to-wit:

Mr. President—The select committee to whom was referred the petition of sundry citizens of Warrenton, praying for an act incorporating said town, have had the same under consideration, and have instructed me to report the following bill, and recommend its passage; which was read.

On motion of Mr. Sharkey, was received and agreed to.

And, the bill therein reported, to be entitled, an act to incorporate the town of Warrenton, in the county of Warren, was read the first time.

On motion of Mr. Sharkey, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Sharkey, said bill was laid on the table.

Mr. Sharkey, from a select committee, made the following report, to-wit:

Mr. President—The select committee to whom was referred the memorial of sundry citizens of township seventeen, range five east, in Warren county, have had the same under consideration, and have instructed me to report the following bill, and recommend its passage;

Which was read, and, on motion of Mr. Sharkey, was received and agreed to.

And the bill therein reported, to be entitled an act to repeal an act entitled an act to establish a system of Common Schools, and for other purposes, approved 4th March, 1846, so far as the same applies to township seventeen, range five east, in Warren county, was read the first time.

On motion on Mr. Sharkey, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Sharkey, the rule was further suspended, the bill considered as engrossed, read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Singleton, from the committee on the Judiciary, made the following report, to-wit:

MR. PRESIDENT—The standing committee on the Judiciary, to whom was referred to memorial of George T. Swann, Auditor of Public Accounts, asking directions as to the subject matter of said memorial, have had the same under considerations, and have instructed me to make the following report:

Your committee are of opinion that if the act of the Legislature, approved Feb. 27, 1833, to provide for and prescribe the manner of filling vacancies in public offices, be no infringement of our State constitution, then the Auditor of Public Accounts is plain, and he should refuse, as he has done before, to issue his warrant for the amount claimed by Judge Turner. That act provides, amongst other things, that the appointee of the Executive, to fill a vacancy in the office of Judge of High Court of Errors and Appeals, shall hold his office until the election so ordered by him (the Executive,) shall have been held, and the successor or person elected to the office, be duly qualified in the manner prescribed by this act, as appears by the minutes in the clerk's office of the High Court of Errors and Appeals, the Hon. Edward Turner was not duly qualified, until after the 8th day of April, 1840, the date of the resignation of the Hon. C. P. Smith, the Executive appointed upon the supposition then that the law of February 27, 1833 is constitutional, Judge Smith had an unquestionable right to draw his salary to this date, to the exclusion of Judge Turner's claim. It is clearly inferuable, from the memorial, that the Auditor of Public Accounts regards the law of February 27, 1833, as an unconstitutional act; and out of this fact grew the embarrassing circumstances with which he finds himself surrounded. As to the fact whether this law be constitutional or not, the committee are unanimously of opinion that it is not their province to decide; nor do they believe the Legislature invested with the power to make that decision; but think it a question properly and peculiarly belonging to the judiciary department of our government. The Legislature of this State may alter or repeal any former act of that body, but

your committee apprehend that the Legislature has no power to decide upon rights of individuals, growing out of one of its enactments, by declaring that act to be unconstitutional. Your committee, therefore, recommend that this body take no action upon the subject, but leave the question to be settled by a judicial tribunal of the country, where full and adequate relief may be had.

Which was read, and, on motion of Mr. Singleton, was received and agreed to.

The following message was received from his Excellency the Governor, through his private Secretary, Mr. McDonald, to-wit:

Mr. President—I am instructed by his Excellency the Governor, to inform the Senate that he has this day approved and signed bills of the following titles, to-wit:

An act to incorporate the town of Bankston, in the county of Choctaw; also,

An act for the relief of Jefferson Davis, Colonel of the First Regiment of Mississippi Rifles, during the war with Mexico.

The following message was also received from his Excellency the Governor, through his private secretary, Mr. McDonald, to-wit:

Mr. President—I am instructed by his Excellency the Governor, to return to the Senate a bill to be entitled an act for the relief of the widow Lomax Commack, in accordance with a resolution of the Senate, requesting the Governor to return the same for reconsideration.

Mr. Singleton, from the committee on the Judiciary, made the following report, to-wit:

Mr. President—The standing committee on the Judiciary, to whom was referred an act to repeal the usury laws of this State, have duly considered the same, and have instructed me to report the bill back to the Senate without amendment, and recommend that it do not pass. Your committee beg leave to state, that while they are ready to concede that there are evils growing out of the present system of laws on that subject, they are convinced that were this system totally abolished, and the weak left at the mercy of the strong, and to be swallowed up by their rapacity, greater and more grievous evils would fall upon any people, which would greatly endanger their happiness, and deeply embarrass the commercial prosperity of our country. They believe that unless some positive good is to be effected by changes so radical in their nature, that the Legislature ought not to venture upon them.

Which was read, and, on motion of Mr. Sengleton, was received and agreed to.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to-wit:

Mr. President—The Speaker of the House of Representatives has signed bills of the following titles, viz:

An act to abolish the per diem pay of the Judges of Probate,

and members of the Board of County Police of Jones county, and for other purposes;

An act to incorporate the town of Biloxi, in the county of Harrison;

An act to incorporate the Polkville Male and Female Academy, in the county of Smith;

An act to attach the county of Sunflower to the District Chancery court, for the Northern District of Mississippi;

An act for the benefit of the minor heirs of Solomon R. Vickers, deceased;

An act to incorporate the town of Richland, in the county of Holmes;

An act concerning processes of the Circuit Court of Adams county, and for other purposes;

An act to incorporate the Matubba Plank Road Company;

An act for the benefit of William Henry and John Anderson Derald;

An act to authorise the Board of Police in the county of Issaquena to assign hands to work on Deer Creek;

An act for the relief of Ira G. Kellough;

An act to extend the time of holding the Circuit court of Lawrence county;

An act to incorporate the town of Shieldsborough, and for other purposes;

An act to incorporate Pearl River Female Academy, in township seven, range two west, in Madison county;

Which I am instructed to present to the Senate for the signature of the President.

Mr. Beene, from the committee on the Judiciary, made the following report, to-wit:

Mr. President—The committee on the Judiciary, to whom was referred a bill to to be entitled, an act to amend the law on the subject of special terms of the circuit courts, have had the same under consideration, and have instructed me to report said bill without amendment, and recommend the passage thereof.

Which was read, and, on motion of Mr. Beene, was received and agreed to.

Mr. Beene, from the committee on the Judiciary, made the following report, to-wit:

Mr. President—The committee on the Judiciary, to whom was referred a bill to be entitled, an act concerning foreign executors, administrators, and guardians, have had the same under consideration, and have instructed me to report said bill without amendment, and recommend that the same do pass.

Which was read, and, on motion of Mr. Beene, was received and agreed to.

Mr. Beene, from the committee on Engrossed Bills, made the following report, to wit:

Mr. President—The committee on Engrossed Bills have ex-

amined a bill to be entitled an act to incorporate the Panola and Coahoma Plank Road company, and have found the same correctly engrossed.

Mr. Cannon, from the committee on Claims, made the following report, to-wit:

MR. PRESIDENT—The committee on Claims, to whom was referred the bill to be entitled an act for the relief of O. P. Casey, have had the same under consideration, and have instructed me to report the bill back, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject; which was read, and on motion of Mr. Cannon, was received.

Mr. Berry moved that said report be disagreed to; which was decided in the negative.

Mr. Cannon presented the petition of Samuel Stamps, Secretary of State; and accompanied said petition with a bill to be entitled an act to authorise the Auditor and Treasurer to pay for advertising the Chickasaw school lands, which bill and petition was read the first time.

On motion of Mr. Cannon, the bill was suspended, and the bill read the second time by title.

Mr. Sharkey asked and obtained leave to introduce a bill to be entitled an act to repeal the second section of an act entittled an act to aid the citizens of Vicksburg in building a Hospital in place of the one destroyed by fire, approved February 13th 1846; which was read the first time.

On motion of Mr. Sharkey, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Sharkey, said bill was ordered to be engrossed for a third reading on to-morrow.

On motion of Mr. Cannon, the joint resolution in relation to the election of a Superintendent and Clerk of the Penitentiary, as amended by the House of Representatives, was then taken up.

Mr. Cannon moved that the Senate concur in said amendment.

Mr. Pettus moved to amend said amendment as follows: "Strike out 11 o'clock, and insert in lieu thereof, 10 oclock;" which was adopted.

On motion of Cannon, said amendment as amended was concurred in.

Mr. White asked and obtained leave to introduce a bill to be entitled an act to amend an act entitled an act to establish and incorporate the town of Yazoo city, approved 3d March, 1846; which was read the first time.

On motion of Mr. White, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. White, the rule was further suspended, the bill considered as engrossed, read the third time and passed.

Ordered, That the title thereof be as stated.

On motion of Mr. Cannon, the consideration of a bill to be entitled an act to authorise the State of Mississippi to subscribe for stock in the Mobile and Ohio Railroad company, and for other purposes, as set for this hour in committee of the whole, was postponed until Wednesday next, at 11 o'clock, A. M.

Mr. Beynolds asked and obtained leave to introduce a bill to be entitled an act to increase the common school fund in the county of Tishemingo; which was read the first time.

On motion of Mr. Reynolds, the rule was suspended and the bill read the second time by title.

On the further motion of Mr. Reynolds, the rule was further suspended, the bill considered as engrossed, read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Guion presented the claim of Robert Miller, which, on motion of Mr. Guion, was referred to the committee on Claims.

Mr. Reynolds asked and obtained leave to introduce a bill to be entitled an act to remove the civil disabilities of Lucinda Mason, a feme covert of Tishemingo county; which was read the first time.

On motion of Mr. Reynolds, the rule was suspended, and the bill read a second time by title.

On the further motion of Mr. Reynolds, the rule was further suspended, the bill considered as engrossed, read the third time and passed.

Ordered, that the title thereof be as stated.

The Senate proceeded to the consideration of the orders of the day.

The consideration of a bill to be entitled an act for the relief of Elisha Jacobs, of Amite county, was, on motion of Mr. Davis, postponed for the present.

An amendment made by the House of Representatives to a bill to be entitled an act for the benefit of Elijah Dupree, jr., was read, and, on motion of Mr. Davis, was concurred in.

An amendment made by the House of Representatives to a bill to be entitled an act for the relief of William Owens, a minor of Madison county, was read, and, on motion of Mr. Singleton, was concurred in.

An amendment made by the House of Representatives to a bill to be entitled an act to limit the duties of sheriffs in certain counties, was read, and, on motion of Mr. Tait, was concurred in.

A bill to be entitled an act to reduce the rate of license in certain counties therein named, was read the first time.

On motion of Mr. Gilleland, the rule was suspended, and the bill read the second time by title.

Mr. Gilleland offered the following amendment, to wit: "Strike out Attala county;" which was adopted.

On motion of Mr. White, said amendment was ordered to be engrossed for a third reading with the bill on to-morrow.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

Mr. President—The House of Representatives have adopted the following joint resolution:

Resolved, (the Senate concurring) that the House bill entitled an act to provide for the payment of the bonds of Mississippi, sold on account of the Planters' Bank, be referred to a joint select committee of ten on the part of the House, and —— on the part of the Senate; and have appointed as said committee on the part of the House, Messrs. Brooks, Nabors, Wall, Brown, Lynch, Marble, Henry, Young, Thomas of Yazoo, and Crews.

In which I am instructed to desire the concurrence of the Senate.

The Senate again resumed the consideration of the orders of the day:

A bill to be entitled an act to authorise Richard Pipkins to hawk and peddle free of license, in the counties of Greene and Perry, was read the first time.

On motion of Mr. Ramsay, the rule was suspended, and the bill read the second time by title.

A bill to be entitled an act to authorise John Standin to hawk and peddle within the bounds of the county of Tishemingo without license for the same, was read the first time.

On motion of Mr. Reynolds, the rule was suspended, and the bill read the second time by title.

Mr. Reynolds moved that the rule be further suspended, the bill be considered as engrossed, read the third time and put upon its passage; which was decided in the affirmative.

On motion of Mr. Reynolds, the vote taken to suspend the rule for a third reading, was reconsidered.

On the further motion of Mr. Reynolds, said bill was referred to a select committee of three.

Messrs. Reynolds, Alcorn and Sharkey were appointed said commmittee.

The following message was received from the House of Representatives through their clerk, Mr. Russell:

Mr. President—The House of Representatives have concurred in the amendment made by the Senate to the amendment made by the House to the Senate resolution in relation to going into the election of Superintendent and Clerk of the Penitentiary.

The Senate again resumed the consideration of the orders of the orders of the day:

A bill to be entitled an act to authorise John T. Oats to establish a ferry across Big Bear Creek, near the town of Eastport, in Tishemingo county, was read the first time.

A bill to be entitled an act to amend an act entitled an act to change the time of holding the Circuit courts of the 6th judicial

Circuit court District, approved February 9, 1848, with an amendment thereto by way of ryder, was read the first time.

On motion of Mr. Drane the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Drane, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act providing an appropriation to the Washington National Monument, was read the first time.

On motion of Mr. Bell the rule was suspended, and the bill read the second time by title.

On motion of Mr. Cannon, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to provide for the payment of teachers employed under an act to establish common schools, and for other purposes, approved March 4th, 1846, was read the first time.

On motion of Mr. Cannon the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Cannon, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to incorporte the town of Hillsboro, in the county of Scott, was read the first time.

On motion of Mr. Kennedy, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Kenuedy, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to incorporate the town of Shongolo, in Carroll county, was read the first time.

On motion of Mr. Kennedy, the rule was suspended and the bill read the second time by title.

On the further motion of Mr. Kennedy, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to change the name of Mrs. Judith Edwards to that of Mrs. Judith Harrison, was read the first time.

On motion of Mr. Gilleland, the rule was suspended and the bill read the second time by title.

A bill to be entitled an act to change the name of James Vance, was read the first time.

On motion of Mr. Carter, the rule was suspended and the bill read the second time by title.

On the further motion of Mr. Carter, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to incorporate the Panola and Coa-

homa Plank Road Company, was, on motion of Mr. Alcorn, recommitted to a select committee of three.

Messrs. Alcorn, Davis and Stone were appointed said committee.

Mr. Alcorn, from a select committee, made the following report, to wit:

Mr. President—The select committee to whom was referred a bill to be entitled an act to incorporate the Panola and Coahoma Plank Road Company, have had the same under consideration, and have instructed me to report said bill back to the Senate, with the following amendment, and recommend its passage, viz:

In the first section, after the name "James Brown," insert the names, "Aaron Askew and Calvin Vance."

Which was read, and, on motion of Mr. Alcorn, was received and agreed to; and, on the further motion of Mr. Alcorn, said bill, as amended, was read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Sharkey asked and obtained leave to call up the following resolution, reported from the House, viz:

Resolved, (the Senate concurring,) That the House bill, entitled an act to provide for the payment of the bonds of Mississippi, sold on account of the Planters' Bank, be referred to a joint select committee of ten, on the part of the House, and —— on the part of the Senate.

Which was read.

Mr. Bell moved that said resolution be laid on the table; which was decided in the negative.

Mr. Berry moved that the blank in said resolution be filled with the number five; which was decided in the affirmative.

On the further motion of Mr. Berry, said resolution was concurred in.

Messrs. Sharkey, Stewart, Berry, Pettus and Davis were appointed said committee, on the part of the Senate, on said resolution.

On motion of Mr. Torrey, the Senate adjourned until half-past nine o'clock to-morrow morning.

SATURDAY, February 16, 1850.

The Senate met pursuant to adjournment.

The journal of yesterday was read.

Mr. Berry, from the joint standing Committee on Enrolled Bills, made the following report, to wit:

MR. PRESIDENT—The joint standing committee on Enrolled Bills have this day examined bills of the following titles, to wit:

An act to change the line between Lafayette and Marshall counties;

An act to extend the terms of the probate courts in the counties of Carroll and Tippah;

An act to amend an act to incorporate Black Hawk Male and Female Academies, in the county of Carroll;

An act to amend an act entitled an act to incorporate the town of Oakland, in Yalobusha county, approved February 28th, 1848;

An act for the relief of Moses G. Robinson;

An act to provide for the education of poor children in the county of Lawrence;

An act to incorporate the Panola and De Soto Plank Road Company;

An act to establish a turnpike road across the Tombigbee swamp, near Fulton;

An act to remove the civil disabilities of Telemacus S. Wyatt, a minor, of Holmes county, and for other other purposes;

An act to limit the duties of sheriffs in certain counties;

An act for the relief of William Owens, a minor, of Madison county, and Abram G. Allen, of Tallahatchie county;

And have found the same correctly enrolled.

Mr. Beene, from the committee on Engrossed Bills, made the following report, to wit:

MR. PRESIDENT—The committee on Engrossed Bills, have examined a bill to be entitled an act to repeal the second section of an act entitled an act to aid the citizens of Vicksburg in building a hospital;

And have found the same correctly engrossed.

Mr. Torrey presented the petition of sundry citizens of Claiborne county; which, on motion of Mr. Torrey, was referred to the committee on Propositions and Grievances.

Mr. Torrey, from the committee on Banks and Currency, made the following report, to wit:

MR. PRESIDENT—The standing committee on Banks and Currency, to whom was committed the memorial of Thomas Freeland and John Murdock, representing themselves to be the assignees of the Commercial Bank of Rodney, have had the same under consideration, and have instructed me to report:

That, in the opinion of your committee, it would be unwise, injudicious and inexpedient to aid, by legislation, the plans of said memorialists. The late Commercial Bank of Rodney was one of a series of local banks, chartered during the mania for banking, which prevailed to such an alarming extent in this State, from 1831 to 1839. The former part of the system, which prostrated the credit, deranged the finances, destroyed the currency, and crippled the resources of the State, and brought disaster and ruin

upon thousands of our citizens. With other and kindred institutions she has, by the judgment of our highest judicial tribunal, been ousted of her banking franchises; but, by a generous exercise of legislative favor, she has been permitted, to a certain extent, to continue the process of collection in the courts of the country for the benefit of her creditors, stockholders included. If she experiences any difficulty in making such collections, your committee believe it to be attributable, not to any want of favor extended to her by the legislature, but the inconsiderate and improper attempt by said bank to evade legislative provisions, through the agency of an assignment made in view of proscriptive legislation. The State has taken her position in relation to these settlements, and the bank has voluntarily taken hers. Your committee do not believe it wise or just, at this time, and in view of existing facts, to recognize, in any way, the validity of the assignment set up in said memorial. They recommend, on the contrary, that the questions at issue between the memorialists and the debtors of the bank be left to adjudication in the courts of the country, without any change, enlargement or abridgement of the rights of either party by legislative interference. In addition to the above consideration, your committee deem it inexpedient to grant the relief asked by the memorialists, while they are refusing to pay, and resisting the collection of the taxes assessed, in pursuance of our revenue laws, against said bank. These taxes, according to authentic documents in the possession of the legislature, amount to the sum of ten thousand nine hundred and thirty-three dollars and eighty-one cents; and the only means out of which they can be realized, consist of the very assets which the memorialists pray leave to distribute and dispose of. Your committee deem it unjust to other tax-paying interests to connive at the proposed evasion of the revenue laws, and to release the capital stock of the late bank from its just share of the public burdens.

With this brief exposition of the views of your committee, they pray to be discharged from the further consideration of the subject.

All of which is respectfully submitted.

On motion of Mr. Torrey, said report was received and agreed to.

The following message was received from his Excellency, the Governor, through his Private Secretary, Mr. McDonald:

To the Senate:

I return to the Senate, without my approval, the bill entitled an act for the relief of Hellen S. Johnson, a minor, of Madison county. It may be, as stated in the preamble of said bill, that some injury may result from a division of the estate of the minor's father, according to the general laws of the land; but, in my opinion, a greater public evil would follow the establishment of a legislative precedent of permitting a minor, not nine years of age, to execute deeds and releases, and do and perform all acts necessary to an amicable partition of her father's estate. By nature, a child of such

tender age is incapable of protecting her interests; and by general law, the wise policy of which is not questioned, the minor is incapable of contracting or binding herself. In such case, if there are good reasons why we should not alter the general law on this subject, they certainly exist, to a greater extent, against exemptions from disabilities in special cases. For these reasons I respectfully return the bill for the further consideration of the Senate.

EXECUTIVE CHAMBER, J. A. QUITMAN.
Jackson, February 16, 1850.

Mr. Singleton asked and obtained leave to introduce a bill to be entitled an act to regulate the practice in the circuit courts of this State in relation to suits by attachment; which was read the first time.

On motion of Mr. Singleton, the rule was suspended and the bill read the second time by title.

On motion of Mr. Singleton, said bill was referred to the committee on the Judiciary.

Mr. Thompson asked and obtained leave to introduce a bill to be entitled an act to incorporate the town of Camargo, in the county of Monroe; which was read the first time.

On motion of Mr. Thompson, the rule was suspended and the bill read a second time by title.

On the further motion of Mr. Thompson, the rule was further suspended, the bill considered as engrossed, read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Carter asked and obtained leave to introduce a bill to be entitled an act to abolish the office of State Commissioner, and for other purposes; which was read the first time.

On motion of Mr. Brooke, the Senate proceeded to the consideration of the message of the Governor vetoing a bill to be entitled an act for the relief of Hellen S. Johnson, a minor, of Madison county, and forthwith the question was had—Shall this bill pass, notwithstanding the veto of the Governor? which was lost; the ayes and nays thereon being as follows:

AYES—Messrs. Alcorn, Brooke, Carter, Davis, Golladay, Guion, Hodges, Kennedy, Pettus, Ramsay, Reynolds, Singleton, Stone, Stewart, Tait and White—16.

NAYS—Messrs. Bell, Berry, Beene, Cannon, Drane, Gilleland Greer, Hughes, McDugald, McAfee, Torrey, Talliaferro and Thompson—13.

On motion of Mr. White, the Senate took a recess of ten minutes.

Recess having expired, the President called the Senate to order.

The following message was received from the House, through their clerk:

MR. PRESIDENT—I am instructed by the House of Representatives to inform the Senate that their Hall is now in readiness for their reception, to the end that the two Houses, in accordance with their joint resolution, go into the election of Superintendent and Clerk of the Penitentiary.

The House of Representatives have passed a bill to be entitled an act to legalize the sale of the sixteenth sections in Jones county, and for other purposes;

In which I am instructed to desire the concurrence of the Senate.

And forthwith the Senate proceeded to the Hall of the House of Representatives, and took the seats assigned them.

The President having explained the object of the joint meeting to be for the election of Superintendent and Clerk of the Penitentiary—whereupon, the following named gentlemen were put in nomination for Superintendent:

Mr. McAfee, of the Senate, nominated James W. Wade.
" Barton, of the House, nominated Joseph Moseley.
" Hughes, of the Senate, nominated C. Durham.
" Singleton, of the Senate, nominated Alfred Hinkle.

Mr. Singleton, of the Senate, moved that the election be conducted *viva voce*; which was lost.

The two Houses then proceeded to the election of Superintendent of the Penitentiary, by ballot, Messrs. Hodges, of the Senate, and Neil, of the House, acting as tellers.

Upon counting the ballot, it appeared that

Joseph Moseley received	50	votes.
J. W. Wade received	34	"
C. Durham received	24	"
Alfred Hinkle received	17	"
Whole number of votes cast	125	
Necessary to a choice	63	

Neither candidate having received a majority of all the votes cast, the two Houses proceeded to a second balloting.

Upon counting the ballot, it appeared that

Joseph Moseley received	50	votes.
J. W. Wade received	39	"
C. Durham received	20	"
Alfred Hinkle received	16	"
Whole number of votes cast	125	
Necessary to a choice	63	

No candidate having received a majority of all the votes cast, the two Houses proceeded to a third balloting.

Upon counting the ballot, it appeared that

Joseph Moseley received	56	votes.
J. W. Wade received	42	"
C. Durham received	26	"
A. Hinkle received	7	
Whole number of votes cast	125	
Necessary to a choice	63	

No candidate having received a majority of all the votes cast, the two Houses proceeded to a fourth ballot—the name of Alfred Hinkle having been withdrawn.

Upon counting the ballot, it appeared that

Joseph Moseley received	60	votes.
J. W. Wade received	46	"
C. Durham received	18	"
Whole number of votes cast	124	
Necessary to a choice	63	

Neither of the candidates having received a majority of all the votes cast, there was no election.

Mr. Hughes, of the Senate, withdrew the name of C. Durham.

The two Houses proceeded to a fifth ballot; which, upon counting the votes, it appeared that

Joseph Moseley received	65	votes.
J. W. Wade received	57	"
A. Hinkle received	1	vote.
Whole number of votes cast	123	
Necessary to a choice	63	

Joseph Moseley having received a majority of all the votes cast, was declared by the President to be duly and constitutionally elected Superintendent of the Penitentiary, for the term prescribed by law.

The two Houses proceeded to the election of Clerk of the Penitentiary.

Mr. Suratt, of the House, nominated D. N. Barrows.

Mr. Martin, of the House, nominated J. N. Smilie.

On motion of Mr. Ashe, the vote was taken *viva voce*.

Those who voted for D. N. Barrows, of the Senate, are:

Messrs. Alcorn, Brooke, Bell, Berry, Beene, Catching, Cannon, Carter, Drane, Davis, Golladay, Gilleland, Greer, Guion, Hodges, Hughes, Kennedy, McDugald, McAfee, Pettus, Ramsay, Reynolds, Singleton, Stone, Stewart, Sharkey, Talliaferro, Thompson, Tait and White—30.

Representatives—Mr. Speaker, Messrs. Anderson, Armstrong, Arthur, Aldridge, Ashe, Brown, Buford, Bynum, Byrn, Bell, Brooks, Beene, Baker, of Hinds, Collins, Crews, Clement, Calhoun, Catchings, Crusoe, Chisholm, Durham, Dampier, Dunlap, Echols, Ellis, Ford, Foote, Farrar, Guy, Griffin, Hinds, Hemingway, Huie, Harrison, Henry, Johnson, Kelly, Kirkland, Lynch, Lewis, Malone, McAfee, Magee, Marble, Myers, Noble, Nabors, Neill, Nash, Regan, of Claiborne, Rozell, Rawls, Rogers, Suratt, Stewart, of Marion, Stewart, of Wilkinson, Smedes, Seal, Smith, Thomas, of Marshall, Thomas, of Yazoo, Thames, Trussell, Thurmond, Tison, Vaiden, Weathersby, Webb, Wall, Welsh, West and Young—73. Total, 103.

Those who voted for J. N. Smilie, of the

Senate—Mr. Torrey—1.

Representatives—Messrs. Barden, Baker, of Pontotoc, Hughes, Martin, McInnis, Talbert and Wilcox—7. Total, 8.

Those who voted for Mr. Dixon are:

Senators—None.

Representatives—Messrs. Barton, Blythe, Barry, Cassidy, Estelle, Gatlin, Kimball, Mott, Matthews, McNabb, Nelson, Regan, of Yazoo, and White—13. Total, 13.

RECAPITULATION.

D. N. Barrows received	103	votes.
J. N. Smilie received	8	"
C. R. Dickson received	13	"
Whole number of votes cast	124	
Necessary to a choice	63	

D. N. Barrows having received a majority of all the votes cast, was declared by the President to be duly and constitutionally elected Clerk of the Penitentiary for the term prescribed by law.

Mr. Berry, from the committee on Enrolled Bills, made the following report, to wit:

MR. PRESIDENT—The joint standing committee on Enrolled Bills have this day presented to his Excellency the Governor, for his approval and signature, the following bills, to wit:

An act concerning processes in the circuit court of Adams county, and for other purposes;

An act to incorporate the town of Richland, in the county of Holmes;

An act to extend the time of holding the circuit court in Lawrence county;

An act to incorporate the Matubbe Plank Road Company;

An act to incorporate the Polkville Male and Female Academy, in the county of Smith;

An act to abolish the per diem pay of the judge of probate and

members of the board of county police of Jones county, and for other purposes;

An act to incorporate the town of Biloxi, in the county of Harrison;

An act for the benefit of the sheriff of Washington county;

An act to attach the county of Sunflower to the District Chancery Court for the Northern District of the State of Mississippi;

An act to assess the number of cotton bales made in the State of Mississippi, in each and every year;

An act for the relief of the trustees of schools and school lands in township number ten, of range number one east of the basis meridian, and west of Pearl river, and for other purposes;

An act for the benefit of William Henry and John Anderson Derald;

An act to incorporate Pearl River Female Academy, in township seven, range two west, in Madison county;

An act for the relief of Ira G. Killough;

An act to incorporate the town of Shieldsborough, and for other purposes;

An act to authorize the board of police, for the county of Issaquena, to assign hands to work on Deer Creek;

An act for the benefit of the minor heirs of Solomon R. Pickens, deceased;

An act to provide for the common schools within the corporation of Woodville;

An act to authorize Frederick Reynon, his heirs and assigns, to establish a ferry across back bay of Biloxi, and for other purposes;

An act to relinquish the claim of the State of Mississippi, by escheat, to the estate of Antoine Martin, deceased, to the heirs and legal representatives of John Nixon, Esq., deceased, and for other purposes;

An act for the relief of John Buttrell of Tishemingo county;

An act to repeal an act to establish a system of common schools, and for other purposes, approved March 4, 1846, so far as relates to the county of Attala, and for other purposes;

An act to amend an act entitled an act to amend an act reducing the fees of certain officers therein named, approved 10th of February, 1844, so far as the same relates to the counties of Harrison, Washington and Tunica, approved February 24, 1848;

An act to reduce the bonds of sheriffs and coroners in the counties of Neshoba, Leake and Newton;

An act for the relief of Lewis S. Jones and others;

An act to amend an act entitled an act to reduce the per diem allowance of the Board of Police of Jackson county;

An act to authorize the treasurer of the county of Rankin to distribute certain money therein named;

An act to incorporate Madison Division, No. 19, Sons of Temperance, in the town of Canton, Madison county, Mississippi;

An act to prescribe the time of holding the Probate court in Sunflower county;

An act to declare Dog river, in the county of Jackson a navigable stream.

On motion of Mr. Singleton, the Senate adjourned till Monday morning, 10 o'clock.

MONDAY, FEBRUARY 18, 1850.

The Senate met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Johnson.

The journal of Saturday was read.

Mr. Berry, from the committee on Enrolled Bills, made the following report, viz:

MR. PRESIDENT—The joint standing committee on Enrolled Bills have this day examined bills of the following titles, viz:

An act to provide for the payment of teachers employed under an act to establish common schools, and for other purposes, approved 4th March, 1846;

An act providing an appropriation to the Washington National Monument;

An act to change the name of James Vance;

An act to incorporate the town of Hillsboro, in the county of Scott;

An act to incorporate the town Shongalo, in Carroll county;

An act to amend an act entitled an act to change the times of holding the courts of the sixth Judicial Circuit court District, approved February 9th, 1848;

An act for the benefit of Elijah Dupree, j., and Thomas B. Leonard, jr.;

And have found the same correctly enrolled.

The following message was received from the House of Repsentatives, through their clerk, Mr. Russell, to wit:

The House of Representatives have passed bills with the following titles:

A bill to be entitled an act granting a charter for a turnpike and ferry at Panola;

A bill to be entitled an act to establish common schools in the county of Holmes;

A bill to be entitled an act to amend an act entitled an act to amend an act to incorporate the Locopolis Railroad company, approved February 10, 1848;

A bill to be entitled an act to repeal an act entitled an act for the benefit of the Aberdeen Female Academy, and for other purposes;

A bill to be entitled an act in relation to the bond of the sheriff as assessor and collector of taxes of Hancock county;

A bill to be entitled an act to extend the powers of the President and Selectmen of the town of Oxford;

A bill to be entitled an act to legalise the lease of certain school lands therein named;

A bill to be entitled an act to regulate the working of public roads, and the building and repair of bridges, in the county of Adams, and for other purposes;

In all of which, I am instructed to desire the concurrence of the Senate.

The House of Representatives have passed Senate bills with the following titles:

A bill to be entitled an act to change the time of holding the Probate court of Washington county, and for other purposes;

A bill to be entitled an act for the relief of E. C. Eggleston;

A bill to be entitled an act for the relief of James W. Wade.

And have given leave to the introduction of bills of the following titles:

A bill to be entitled an act to permit Ervin Cowan, a free man of color, to remain in the State of Mississippi;

A bill to be entitled an act to suppress trade and barter with slaves, and for other purposes;

A bill to be entitled an act for the relief of John J. and Martha J. Sibley, minors of John Sibley, deceased;

Mr. President—The Speaker of the House of Representatives has signed bills with the following titles, to wit:

An act to change the line between Lafayette and Marshall counties;

An act to extend the terms of the Probate courts in the counties of Carroll and Tippah;

An act to amend an act to incorporate Black Hawk Male and Female Academies, in the county of Carroll;

An act to amend an act entitled an act to incorporate the town of Oakland, in Yalobusha county, approved February 28, 1848;

An act for the relief of Moses G. Robinson;

An act to provide for the education of the poor children in the county of Lawrence;

An act to establish a Turnpike road across the Tombigbee swamp, near Fulton;

An act to remove the civil disabilities of Telemacus S. Wyatt, a minor, of Holmes county, and James Haley, a minor, of Madison county;

An act to limit the duties of sheriffs in certain counties;

An act to incorporate the Panola and Desoto Plank Road company;

An act for the relief of William Owens, a minor, of Madison county, and Abraham G. Allen, of Tallahatchie county;

Which I am instructed to present to the Senate for the signature of the President.

The President signed the bills therein named.

Mr. Torrey presented the memorial of Samuel Laughman, sheriff of Jefferson county; which was read, and, on motion of Mr. Torrey, was referred to the Committee on Propositions and Grievances.

Mr. Kennedy, from the committee on accounts, made the following report, to wit:

Mr. President: The joint Standing Committee on Accounts after a laborious and thorough examination of the books of the Auditor of Public Accounts, embracing all the vouchers and receipts on file in his office, have instructed me to report, that they found the various books, which serve as a check on each other in the office, neatly kept; the references from one to another, simple and plain, and entirely correct; and all the vouchers and receipts strictly agreeing in every respect, with the corresponding entries in the proper books. The arrangement of the office has been completed, as required by the Act of 1848, in a substantial and neat manner; the papers relating to each branch of the public business, connected with the office, have been arranged in separate drawers, with appropriate indexes, so as to render references easy and convenient. The arrangement has been made to embrace all the papers of the department, which have been found in the office.

Twenty-four suits have been instituted against defaulters, on account of the revenue, from the year 1841 to 1846, (inclusive,) for the aggregate amount of $16,074 34, exclusive of damages, of which, several amounts have been paid, according to the report of the Auditor. A few of these suits, as your Committee are informed, have been decided against the State, but most of them are yet pending. The individual journal and ledger, embracing, in detail, the accounts of all persons having dealings with the State, were opened on the first day of the fiscal year, 1848, pursuant to the act of that year. The books are very voluminous and embrace every item of disbursement in the public service, except the few accounts which were already kept in detail on the general books. This act has greatly increased the labor of book-keeping, but the books present a perfect check against double allowances of the same demands, which has doubtless long been required in the department. Your Committee are satisfied that much of the labor, now expended on these books, may be safely curtailed, as suggested in the Auditor's report.

The transmission of the lists of unredeemed lands, bought by the State at tax sales, previous to the year 1848, to the Sheriffs of the varous counties, in pursuance of the Act of 1848, involved a very heavy, minute and laborious investigation into the evidence relating to such as had been redeemed. It appears from the record

of the lands thus set apart for sale, that an examination of about 3,600 deeds, made in the years 1842, 1843 and 1847, together with the file books, into which they were entered, and the memoranda of redemption endorsed on them, was necessary to accomplish the design of this act. The lists in detail, were transmitted to the Sheriffs in the year 1848, and duplicates of these retained in a separate record of the unredeemed lands with the Sheriffs receipts for the same. A separate and distinct account has also been kept with each Sheriff for the proceeds of the sales and redemption of these lands. Your Committee will here remark, that from personal observation of the heavy amount of business of the office, and the accuracy and neatness required to present a full and clear view of the fiscal concerns of the State, they are of opinion that the compensation allowed by law to the head of this department is inadequate to the onerous duties now imposed upon him.

Your Committee also made a full and satisfactory examination of the disbursements from the executive contingent fund during the administration of the late governor; of the Library fund; the appropriations for the Capitol and Executive Mansion; the appropriation for furnishing the Executive Mansion, and the appropriations for the relief of the Mississippi volunteers, including the 2d Regiment of Mississippi Rifles and the Mississippi Battalion, in the service of the U. States in the War with Mexico, and found every entry and amount, accurately sustained by corresponding vouchers. Your Committee also examined receipts from the State Treasury, for $1,009 69, being the amount received by Governor Matthews on account of the two and three per cent. funds.

The examination of the offices of the State Treasurer and State Commissioner, having been assigned to other Committees, the labors of your Committee here terminated. All of which is respectfull submitted.

Which was read, and on motion of Mr. Kennedy, was received and agreed to.

On motion of Mr. Cannon, 250 copies of said report were ordered to be printed for the use of the Senate.

Mr. Tait asked and obtained leave to introduce a bill to be entitled an act to provide for the appointment, in certain cases, of guardians for minor children, whose father is living; which was read the first time.

On motion of Mr. Tait, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Tait, said bill was referred to the Judiciary committee.

A message, in writing, was received from his Excellency the Governor, through his private Secretary, Mr. McDonald, which was laid on the table.

Mr. Sharkey asked and obtained leave to introduce a bill to be

entitled an act to amend the seventy-third chapter of the act of 1848, entitled an act supplementary to an act entitled an act to establish a system of common schools, and for other purposes; which was read the first time.

On motion of Mr. Sharkey, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Sharkey, the rule was further suspended, the bill considered as engrossed, read the third time and passed.

Ordered, that the title thereof be as stated.

Mr. Cannon asked and obtained leave to introduce a bill to be entitled an act to declare Trim Cane a navigable stream; which was read the first time.

On motion of Mr. Cannon, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Cannon, the rule was further suspended, the bill considered as engrossed, read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Alcorn asked and obtained leave to introduce a bill to be entitled an act to amend an act entitled an act supplementary to an act, to establish an inferior court of Chancery for the Northern District of Mississippi; which was read the first time.

On motion of Mr. Alcorn, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Alcorn, said bill was referred to a select committee of three.

Messrs. Alcorn, Tait and Golladay, were appointed said committee.

Mr. White asked and obtained leave to introduce a bill to be entitled an act to amend the laws relating to estates of decedents and executors, administrators and guardians, and for other purposes; which was read the first time.

On motion of Mr. White, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. White, said bill was referred to the Judiciary committee.

Mr. Reynolds asked and obtained leave to introduce a bill to be entitled an act for the benefit of Samuel Reid, a minor of Tishemingo county; which was read the first time.

On motion of Mr. Reynolds, the rule was suspended, and the bill read a second time by title.

On the further motion of Mr. Reynolds, the rule was further suspended, the bill considered as engrossed, read the third time and passed.

Ordered, that the title thereof be as stated.

On motion of Mr. Kennedy, the following message, received from his Excellency the Governor, was called from the table, to wit:

TO THE SENATE:

I return to the Senate, without my approval, the bill "to incorporate the New Orleans and Jackson Railroad company, and for other purposes." Sincerely approving of the general objects and purposes of that bill, I find, with regret, that some of its details conflict with my opinion of public policy, of the equal rights of the citizens of this State, and of constitutional restrictions. The power given by the 15th section of the bill, to the boards of police of the counties through which the road may pass, to subscribe for an unlimited amount of stock in said corporation, and to levy a special tax on all the inhabitants of said counties to pay the same, although guarded by the condition that the majority of the voters of said county shall approve of the same, operates, in effect, as a compulsion upon the minority of the citizens of such county to take stock against their will, and subjects their property to summary seizure and sale for its payment. Besides, the experience of the past should warn us, that burdensome and oppressive debts upon counties, as well as States, with their disastrous consequences have sometimes arisen out of the best matured schemes, promising in the perspective the most brilliant results.

Were the objections, however, to the 15th section the only ones to the bill under consideration, I should be inclined, notwithstanding these views, to defer my opinion to that of the Legislature; but there are others of a more serious character. The 19th section of the bill provides, "that the capital stock of said company, as well as all other property belonging to it, shall be exempt from taxation of any kind whatever for fifteen years from the passage of this act;" and the same exemption is, by the 23d section of the act, extended to the Baton Rouge and Liberty Railroad company. The capital stock of these corporations amounts to three millions of dollars. Their property, when in full operation, will probably amount in value to an equal sum. By this bill alone, then, six millions of investment will be exempted from taxation, not during the pleasure of the Legislature, but for a definite period of years to come. However profitable or valuable these investments might become, the State is bound for fifteen years to protect the property of these corporations, and yet they will be exempted from the common burden of taxation. Many other important works of a similar character, are now in contemplation. I doubt not, when completed, they will promote the comfort and add to the value of the property of the citizens of the State. They should all be equally encouraged by all justifiable means. Common justice will require, that if some are exempted from taxation, all having for their object public or local advantage, should receive the same immunity. With the spirit of the bold enterprise, which now pervades the State, it will not be considered visionary to anticipate the possibility of so large a portion of the wealth of the State becoming associated with corporate privileges as materially to affect her sources of re-

venue. If, then, we exempt this class of property from taxation, must not the burdens of government fall more heavily upon individual property? I can see no valid reason why these extraordinary privileges and immunities should be extended to corporations, and withheld from natural persons. The spirit, if not the letter, of the first section of our declaration of rights is opposed to such partial exemptions.

There is another and equally serious principle involved in exempting the property of these private corporations from taxation for a long series of years. The power of raising revenue belongs to the legislature, *at all times*. It is a necessary ingredient of sovereignty, delegated to that branch of the government by the constitution, which it has at all times full capacity to exercise. Have we the right to prevent a subsequent legislature from the full and free exercise of this power? If we have not, neither can we abridge that right, nor limit the subjects of property upon which it may be exercised. But, if I am mistaken in this principle, I hold it to be unadvisable, by our action, to restrict our successors from adopting what course of policy they, under altered circumstances, may see fit to pursue. Let us leave to future generations the same freedom of action which we desire for ourselves.

The last objection which I make to the bill presented, is founded on the provision of the twentieth section of the act, which provides that "the sum of two thousand dollars shall be paid from the treasury of the State, out of any money belonging to the Internal Improvement Fund not otherwise appropriated, for the purpose of making the necessary survey and estimate of said road," &c.

I regard this an appropriation of money from the treasury to objects of internal improvement, and forbidden by the eighth section of the general provision of the constitution, unless approved by two-thirds of both branches of the legislature, which does not appear to have been regarded on the passage of this bill.

The language of the constitution is positive: "No money from the treasury shall be appropriated to objects of internal improvement, unless a bill for that purpose be approved by two-thirds of both branches of the legislature. If this appropriation, then, be from the treasury to objects of internal improvement, it can only be made upon the vote of two-thirds of the members of both branches of the legislature. I am aware that it is contended, by some, that this provision of the constitution was intended to be applied only to money in the treasury raised by general taxation, and not to the moneys therein designated as the internal improvement fund. I can see no difference. The constitution makes no distinction. The internal improvement fund constitutes a portion of the mass of the public moneys in the treasury. Like the Sinking Fund, and other funds, it belongs to the State, and cannot be drawn out, except on appropriations made by law.

Its *appropriation* consists in directing its withdrawal from the

treasury, and application to some specific purpose. This was obviously the intention of the convention, in using the terms "appropriation and appropriated," in the constitution. The internal improvement fund then existed. It had been created, and its general purposes declared, by the acts of Congress of the 1st March, 1817, and 14th March, 1826. The latter act provides that "three-fifths of the five per cent. fund, arising from the nett proceeds of the sales of public lands within the State of Mississippi, *may be appropriated by the legislature thereof* to the making of public roads and canals, and to the improvement of the navigation of rivers and bays within said State." The act of Congress does not profess to make the appropriation. It authorizes the legislature of the State to do so, and, by our organic law, the legislature is directed in what mode to execute this power. It seems to me to have been the intention of the convention to arrest the application of this, as well as any other funds, to any objects of internal improvement, unless of such general interest as to obtain the approval of two-thirds of both branches of the legislature. Again: if this fund should be held to have been *appropriated* by the act of Congress, the application of a portion of it to a private railroad would not be justified by that act.

Recognizing, however, this fund as subject to the constitutional control of the State, in accordance with the great purposes of the grant, I consider it subject, as all other moneys in the State treasury, to the restrictions of the seventh and eighth sections of the general provisions of the constitution.

An imperative duty is performed in presenting these objections to the bill. I cheerfully submit them to the consideration and superior wisdom of the legislature.

EXECUTIVE CHAMBER, J. A QUITMAN.
Jackson, February 16, 1850.

Which was read, and, on motion of Mr. Stone, was laid on the table and made the special order of the day for to-morrow, at 11 o'clock, A. M.

Mr. White asked and obtained leave to offer the following resolution, to wit:

Resolved, (the House concurring,) That a committee of three on the part of the Senate, and —— on the part of the House, be appointed to inquire into the expediency and propriety of appropriating the sum of ——— dollars, for the purpose of constructing a State monument to perpetuate the memory of the gallant volunteers of the State of Mississippi, in the late Mexican war.

Which was read the first time.

On motion of Mr. Gilleland, the rule was suspended and the resolution read the second time and adopted.

Messrs. White, Kennedy and Gilleland were appointed said committee on the part of the Senate.

The Senate proceeded to the consideration of the orders of the day:

A bill to be entitled an act to change the name of Mrs. Judith Edwards to that of Mrs. Judith Harrison, was read the third time and passed.

Ordered, That the title thereof be as stated.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

MR. PRESIDENT—The Speaker of the House of Representatives has signed bills of the following titles, viz:

An act to provide for the payment of teachers employed under an act to establish common schools, and for other purposes, approved 4th March, 1846;

An act providing an appropriation to the Washington National Monument;

An act to change the name of James Vance;

An act to incorporate the town of Hillsborough, in the county of Scott;

An act to incorporate the town of Shongalo, in Carroll county;

An act to amend an act entitled an act to change the times of holding the courts of the sixth judicial circuit court district, approved February 9th, 1848;

An act for the benefit of Elijah Dupree, jun., and Thomas B. Lenore, jun.;

Which I am instructed to present to the Senate for the signature of the President.

The House of Representatives have receded from their amendments made to a Senate bill entitled an act to authorize P. M. Oliver and John Robertson, or their assigns, to build a turnpike road through the swamp of Cold Water, in De Soto county;

The President signed the bills therein named.

The Senate again resumed the consideration of the orders of the day:

A bill to be entitled an act to authorize John T. Oats to establish a ferry across Big Bear creek, near the town of Eastport, in the county of Tishemingo, was read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to authorize Richard Pipkins to hawk and peddle, free of license, in the counties of Greene and Perry, was read the third time and passed.

Ordered, That the title thereof be as stated.

A bill from the House of Representatives, to be entitled an act to reduce the rate of licenses in certain counties therein named, with a Senate amendment, was read the third time, as amended, and lost.

A bill to be entitled an act for the relief of Elisha Jacobs, of Amite county, was read the second time.

On motion of Mr. Carter, said bill was laid on the table.

A bill to be entitled an act to authorize the Auditor and Treasurer to pay for advertising the Chickasaw school lands, was read the third time.

Said bill was accompanied by a memorial of Samuel Stamps, Secretary of State; which was also read.

Mr. Stone offered the following resolution, to wit:

Resolved, That the memorial of the Secretary of State be recommitted to a select committee of three, to report by bill or otherwise upon all matters therein referred to.

Which was read, and, on motion of Mr. Stone, was adopted.

Messrs. Brooke, Cannon and Greer were appointed said committee, Mr. Stone being excused from acting on the same.

Mr. White asked and obtained leave to call from the table the memorial of Miss D. L. Dix, soliciting adequate appropriations for the construction of a State Hospital for the Insane, in the State of Mississippi; which, on motion of Mr. Hodges, was made the special order of the day for 11 o'clock, A. M., on to-morrow.

Mr. Hughes, from a select committee, made the following report, to wit:

MR. PRESIDENT—The select committee to whom was referred a bill to be entitled an act to amend an act to incorporate the town of Louisville, in the county of Winston, approved February 16th, 1838, have had the same under consideration, and instructed me to report the bill back to the Senate.

Which was read, and, on motion of Mr. Hughes, said report was received and agreed to; and the bill therein reported, to be entitled an act to amend an act to incorporate the town of Louisville, in the county of Winston, approved February 16th, 1838, was, on the further motion of Mr. Hughes, laid on the table.

The Senate again resumed the consideration of the orders of the day:

A bill to be entitled an act for the relief of the sheriff of Newton county, was read the first time.

On motion of Mr. Carter, the rule was suspended and the bill read the second time by title.

On the further motion of Mr. Carter, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to refund certain moneys therein named to V. Hamelton, tax collector of the county of Sunflower, was read the first time.

A bill to be entitled an act to amend the law on the subject of special terms of the circuit courts, was read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to regulate appeals, or writs of error, from the probate courts of this State, when taken or prosecuted by executors or administrators, was read the third time.

On motion of Mr. Stone, said bill was laid on the table.

A bill to be entitled an act to amend the several acts in relation to the courts of probate concerning foreign executors, administrators and guardians, was read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to repeal the second section of an act entitled an act to aid the citizens of Vicksburg in building a hospital, was read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to amend an act to regulate the mode of obtaining license to sell vinous and spiritous liquors, approved February 22d, 1842, was read the second time.

Mr. Brooke offered the following amendment to said bill, to wit:

Amend by adding, after the word "treasury," the words, "for common school purposes;" which was adopted.

On motion of Mr. Carter, the rule was suspended, the bill, as amended, considered as engrossed, read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to legalize the sale of the sixteenth sections within the county of Jones, and for other purposes, was read the first time.

A bill to be entitled an act to abolish the office of State Commissioner, was read the second time.

On motion of Mr. Berry, said bill was indefinitely postponed.

Mr. Stone asked and obtained leave to introduce a bill to be entitled an act to approve and confirm the provisions of the last will and testament of Colonel Thomas Y. Grinstead, deceased, in relation to woman Mary, and her children, and accompanied said bill with a copy of said will; which was read the first time.

Mr. Cannon asked and obtained leave to call from the table the following resolution, to wit:

Resolved, (the House of Representatives concurring,) That the Legislature do adjourn, *sine die*, on Friday, the first day of March next; which was read the second time.

Mr. Hodges offered the following amendment to said resolution, to wit:

Amend by striking out the words "Friday, the first," and insert the words "Saturday, the ninth;" which was lost.

Mr. Stone moved to lay said resolution on the table; which was lost.

Mr. Berry called for the ayes and nays thereon, which are as follows, to wit:

AYES—Messrs. Bell, Beene, Carter, Gilleland, Hodges, McDugald, Pettus, Ramsay, Reynolds, Stone and Sharkey—11.

NAYS—Mr. President, Messrs. Alcorn, Brooke, Berry, Catching, Cannon, Drane, Davis, Golladay, Greer, Kennedy, McAfee, Stewart, Torrey, Talliaferro, Thompson and Tait—17.

Mr. Cannon offered the following amendment to said resolution, to wit:

Amend by striking out the words "Friday, the first," and insert, in lieu thereof, the words "Tuesday, the fifth;" which was adopted; and, on the further motion of Mr. Cannon, said resolution, as amended, was adopted.

On motion of Mr. Hodges, the Senate adjourned until to-morrow morning, 10 o'clock.

TUESDAY, FEBRUARY 19, 1850.

The Senate met pursuant to adjournment.

The journal of yesterday was read.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

MR. PRESIDENT—The House of Representatives have passed memorials of the following titles:

A memorial to the Congress of the United States, praying a change in the system of transporting the mail, and the establishment of stage routes in this State;

A memorial to the Congress of the United States relative to a stage route from Jackson to Baton Rouge;

A memorial and resolutions to the Congress of the United States relative to the opening of Pass Manshac;

A memorial and resolutions to the Congress of the United States relative to the establishment of a light-house on the seacoast of the State of Mississippi;

In which I am instructed to desire the concurrence of the Senate.

Mr. Stone asked and obtained leave to introduce a bill to be entitled an act to authorize the board of police of Lawrence county to transcribe certain records in the office of the probate court of said county; which was read the first time.

On motion of Mr. Stone, the rule was suspended and the bill read the second time by title.

On the further motion of Mr. Stone, the rule was further suspended, the bill considered as engrossed, read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Ramsay presented the petition of R. F. Harrison and others, citizens of the police district in which Mississippi City is situated; which was read, and, on motion of Mr. Ramsay, was referred to a select committee of three.

Messrs. Ramsay, McDugald and McAfee were appointed said committee.

Mr. Berry from the committee on Enrolled Bills, made the following report, to wit:

Mr. President—The joint standing committee on Enrolled Bills have this day examined bills of the following titles, viz:

An act to change the name of Mrs. Judith Edwards to that of Mrs. Judith Harrison;

An act to authorize Richard Pipkins to hawk and peddle, free of license, in the counties of Greene and Perry;

An act to authorize John T. Oats to establish a ferry across Big Bear creek, near the town of Eastport, in the county of Tishemingo;

An act for the relief of the sheriff of Newton county;

An act for the relief of James W. Wade;

And found the same correctly enrolled.

Mr. Berry, from the committee on Enrolled Bills, made the following report, to wit:

Mr. President—The committee on Enrolled Bills have this day presented to his Excellency, the Governor, for his approval and signature, bills with the following titles, to wit:

An act to provide for the education of poor children in the county of Lawrence;

An act to establish a turnpike road across the Tombigbee swamp, near Fulton;

An act to remove the civil disabilities of Telemacus S. Wyatt, a minor, of Holmes county, and of James Haley, a minor, of Madison county;

An act to extend the terms of the probate courts in the counties of Carroll and Tippah;

An act to limit the duties of sheriffs in certain counties;

An act for the relief of William Owens, a minor, of Madison county, and Abraham G. Allen, of Tallahatchie county;

An act for the relief of Moses G. Robinson;

An act to change the line between Lafayette and Marshall counties;

An act to amend an act entitled an act to incorporate the town of Oakland, in Yalobusha county, approved February 28th, 1848;

An act to amend an act to incorporate Black Hawk Male and Female Academies, in the county of Carroll;

An act for the benefit of Elijah Dupree, jun., and Thomas B. Lenore, jun.;

An act providing an appropriation to the Washington National Monument;

An act to incorporate the town of Hillsborough, in the county of Scott;

An act to change the name of James Vance;

An act to provide for the payment of teachers employed under an act to establish common schools, and for other purposes, approved 4th March, 1846;

An act to amend an act entitled an act to change the times of holding the courts of the sixth judicial circuit court district, approved February 9th, 1848;

An act to incorporate the town of Shongalo, in Carroll county;

An act to incorporate the Panola and De Soto Plank Road Company;

Mr. Alcorn, from a select committee, made the following report, to wit:

Mr. President—The select committee to whom was referred the bill to be entitled an act to amend an act entitled an act supplemental to an act to establish an Inferior Court of Chancery for the Northern District of Mississippi, have had the same under consideration, and have instructed me to report the same back to the Senate, without amendment, and recommend its passage.

Which was read.

Mr. Alcorn moved that the report be received; which was decided in the affirmative.

Mr. Tait moved that the report be disagreed to; which was decided in the negative; and the bill therein reported, to be entitled

An act to amend an act entitled an act supplemental to an act to establish an Inferior Court of Chancery for the Northern District of Mississippi; which was, on motion of Mr. Brooke, recommitted to a select committee of three.

Messrs. Alcorn, Tait and Golladay were appointed said committee.

Mr. Hodges, from a select committee, made the following report, to wit:

Mr. President—The joint committee, to whom was referred so much of the Governor's message as refers to the State Lunatic Asylum, have had the same under consideration, and have instructed me to report the accompanying bill, and recommend its passage; which was read, and, on motion of Mr. Hodges, was received and agreed to, and the bill therein reported, a bill to be entitled an act to provide for the completion and furnishing the Lunatic Asylum, was read the first time.

On motion of Mr. Hodges, the rule was suspended, and the bill read the second time by title.

Mr. White moved that the rule be further suspended, the bill be considered as engrossed, read the third time, and put upon its passage.

Mr. Greer moved, that said bill be referred to a committee of the whole house, and made the special order of the day for 11 o'clock, A. M., on to-morrow.

The vote was first taken on the motion of Mr. Greer to refer said bill; which was decided in the affirmative.

On motion of Mr. Alcorn, the vote just taken on referring to a select committee of three, a bill to be entitled an act to amend an act entitled an act supplementary to an act to establish an inferior

court of Chancery for the Northern District of Mississippi, was reconsidered.

Which said bill was read the third time and passed.

Mr. Tait called for the ayes and nays thereon, which are as follows, to wit:

AYES—Messrs. Alcorn, Catching, Carter, Davis, Golladay, Gilleland, Greer, Guion, Hodges, Hughes, McAfee, Pettus, Reynolds, Stone, Stewart, Sharkey and Talliaferro—17.

NAYS—Messrs. Bell, Berry, Beene, Cannon, Drane, Kennedy, Torrey, Thompson and Tait—9.

Ordered, that the title thereof be as stated.

Mr. Reynolds, from a select committee, made the following report to wit:

MR. PRESIDENT—The committee, to whom was referred the House bill to be entitled an act to authorise John Standin to hawk and peddle within the bounds of Tishemingo county without license, have had the same under consideration, and instruct me to report the accompanying bill as a substitute therefor, with the recommendation that it do pass, and beg leave to be discharged.

Which was read, and, on motion of Mr. Reynolds, was received and agreed, and the bill therein reported, to be entitled an act to authorise John Standin to hawk and peddle, free of license, in the county of Tishemingo, was read the third time and passed.

Ordered, That the title thereof be as stated.

The following message was received from his Excellency the Governor, through his private Secretary, Mr. McDonald, to-wit:

To the Senate:

I return to the Senate, with my objections, two bills entitled as follows:

1st. An act for the relief of Thomas Archibald Reid and Rufus B. Ragan.

2d. An act for the relief of Ira G. Killough.

Both these bills involved the same principle, and have the same object, that of conferring the privileges of majority upon the minors named in the bills. The general policy of our laws has established the age of twenty-one as the period of emancipation from the disabilities of nonage.

The bills under consideration, propose to establish another rule in these special cases. I know no reason why there should be a departure from the general policy of our laws, in favor of these minors. There may be a sufficient reason for special legislation in the case of the marriage of a minor, with the approbation of his parents or guardians, because in such case the law imposes upon him additional duties and responsibilities; but in ordinary cases, it is the grant to the favored few of privileges which the great mass of the community of our youths do not possess. Our constitution

does not permit such discrimination between freemen—and why should it be permitted among boys?

J. A. QUITMAN.

EXECUTIVE CHAMBER,
Jackson, Feb. 19, 1850.

For the reasons above assigned, I also respectfully return to the Senate, without my signature, and with similar objections, the following bills, this day presented to me, to wit:

An act for the relief of William Owens, a minor, of Madison county, and Abraham G. Allen, of Tallahatchie county;

An act to remove the civil disabilities of Telemacus S. Wyatt, a minor, of Holmes county, and James Haley, a minor, of Madison county;

An act for the benefit of Elijah Dupree, j., and Thomas B. Leonard, jr.;

Feby. 19, 1850. J. A. QUITMAN.

Which was read, and, on motion of Mr. Alcorn, the Senate proceeded to the consideration of said message, and took up the bill to be entitled an act for the relief of Ira G. Killough; which was read, and the question being taken, "Shall this bill pass, notwithstanding the Executive veto?"

It was decided in the affirmative.

The ayes and nays are as follows, to wit:

AYES—Messrs. Alcorn, Brooke, Cannon, Carter, Drane, Davis, Golladay, Greer, Guion, Hodges, Hughes, Kennedy, McDugald, Pettus, Ramsay, Reynolds, Stone, Stewart, Sharkey, Talliaferro, Thompson, Tait and White—23.

NAYS—Messrs. Bell, Berry, Beene, Catching, Gilleland, McAfee, and Torrey—7.

A bill to be entitled an act for the relief of Thomas Archibald Reid and Rufus B. Ragan, was read, and the question being taken, "Shall this bill pass, notwithstanding the Executive veto?" it was decided in the affirmative.

The ayes and nays thereon are as foltows, to wit:

AYES—Messrs. Alcorn, Brooke, Cannon, Carter, Drane, Davis, Golladay, Greer, Guion, Hodges, Hughes, Kennedy, McDugald, Pettus, Ramsay, Reynolds, Stone, Stewart, Sharkey, Tallaiferro, Thompson, Tait and White—23.

NAYS—Messrs. Bell, Berry, Beene, Catching, Gilleland, McAfee and Torrey—7.

A bill to be entitled an act for the relief of William Owens, a minor, of Madison county, and Abraham G. Allen, of Tallahatchie county, was read, and the question being taken, "Shall this bill pass, notwithstanding the Executive veto?" it was decided in the affirmative.

The ayes and nays thereon are as follows, to wit:

AYES—Messrs. Alcorn, Brooke, Cannon, Carter, Drane, Davis, Golladay, Greer, Guion, Hodges, Hughes, Kenneday, McDugald, Pettus, Ramsay, Reynolds, Stone, Stewart, Sharkey, Talliaferro, Thompson, Tait and White—23.

NAYS—Messrs. Bell, Berry, Beene, Carter, Catching, Gilleland, McAfee and Torrey—7.

A bill to be entitled an act to remove the civil disabilities of Telemacus S. Wyatt, a minor, of Holmes county, and James Haley, a minor, of Madison county, was read, and the question being taken, "Shall this bill pass, notwithstanding the Executive veto?" it was decided in the affirmative.

The ayes and nays thereon are as follows, to wit:

AYES—Messrs. Alcorn, Brooke, Cannon, Carter, Drane, Davis, Golladay, Greer, Guion, Hodges, Kennedy, McDugald, Pettus, Ramsay, Reynolds, Stone, Stewart, Sharkey, Taliaferro, Thompson, Tait and White—23.

NAYS—Messrs. Bell, Berry, Beene, Catching, Gilleland, McAfee and Torrey—7.

A bill to be entitled an act for the benefit of Elijah Dupree, jr., and Thomas B. Lenore, jr., was read, and the question being taken, "Shall this bill pass, notwithstanding the Executive veto?" it was decided in the affirmative.

The ayes and nays thereon are as follows, to wit:

AYES—Messrs. Alcorn, Brooke, Cannon, Carter, Drane, Davis, Golladay, Greer, Guion, Hodges, Hughes, Kennedy, McDugald, Pettus, Ramsay, Reynolds, Stone, Stewart, Sharkey, Taliaferro, Thompson, Tait and White—23.

NAYS—Messrs. Bell, Berry, Beene, Catching, Gilleland, McAfee and Torrey—7.

The following message was received from the House of Representatives through their clerk, Mr. Russell, to wit:

MR. PRESIDENT—The House of Representatives have passed a bill for the relief of Jefferson J. Hughes, in which I am instructed to desire the concurrence of the Senate.

The following message was received from his Excellency the Governor, through his private Secretary, Mr. McDonald, to wit:

MR. PRESIDENT—I am instructed by his Excellency the Governor, to inform the Senate that he has this day approved and signed bills of the following titles, to-wit:

An act to extend the time of holding the Circuit court of Lawrence county;

An act concerning process of the Circuit court of Adams county, and for other purposes;

An act to attach the county of Sunflower to the District Chancery court for the Northern District of the State of Mississippi.

An act to incorporate the town of Richland, in the county of Holmes;

An act to incorporate the town of Shieldsborough, and for other purposes;

An act to incorporate Pearl River Female Academy, in township seven, range two west, in Madison county;

An act to authorize the board of police, for the county of Issaquena, to assign hands to work on Deer Creek;

An act to incorporate the Matubbe Plank Road Company;

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

Mr. President—The Speaker of the House of Representatives has signed bills with the following titles, to wit:

An act to change the name of Mrs. Judith Edwards to that of Mrs. Judith Harrison;

An act to authorise Richard Pipkins to hawk and peddle free of license, in the counties of Greene and Perry;

An act to authorise John T. Oats to establish a ferry across Big Bear creek, near the town of Eastport, in the county of Tishemingo;

An act for the relief of the sheriff of Newton county;

An act for the relief of James W. Wade;

Which I am instructed to present to the Senate for the signature of the President.

The House of Representatives have passed a bill to be entitled an act to remove the county seat of Coahoma county; in which I am instructed to desire the concurrence of the Senate.

The President signed the bills therein named.

On motion of Mr. Stone, the message of the Governor, vetoing the bill to be entitled an act to incorporate the New Orleans and Jackson Railroad company, and for other purposes, was taken up and read; and the question being taken, "Shall this bill pass, notwithstanding the Executive veto?" it was decided in the affirmative.

The ayes and nays thereon are as follows, to wit:

Ayes—Messrs. Alcorn, Brooke, Bell, Berry, Catching, Cannon, Carter, Davis, Gilleland, Guion, Hodges, Hughes, Pettus, Ramsay, Reynolds, Stone, Stewart, Sharkey, Thompson, Tait and White—21.

Nays—Messrs. Beene, Drane, Greer, Kennedy, McDugald, McAfee, Torrey and Taliaferro—8.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

Mr. President—The House of Representatives have passed bills of the following titles:

A bill to be entitled an act to confirm Samuel H. King the privileges granted him by the Board of Police in Tippah county, on the 11th of April, 1848;

A bill to be entitled an act to change the name of the Aberdeen Female Academy, and for other purposes;

In which I am instructed to desire the concurrence of the Senate.

On motion of Mr. Taliaferro, the Senate adjourned until to-morrow morning, 10 o'clock.

WEDNESDAY, February 20, 1850.

The Senate met pursuant to adjournment.

The journal of yesterday was read.

The Hon. D. Lipscomb, President of the Senate, appeared and took his seat.

The Senate proceeded to the consideration of the orders of the day, and resolved itself into committee of the whole on a bill to be entitled, an act to provide for the completion and furnishing of the State Lunatic Asylum; Mr. Greer in the Chair, and after some time spent therein, the committee rose, and Mr. Greer reported said bill back to the Senate without amendment.

On motion of Mr. Greer, the report was received and agreed to.

Mr. Guion offered the following amendment to said bill, to-wit:

Sec. 3. *Be it further enacted*, That it shall be the duty of the commissioners, to be elected under the provisions of this act, to take from the contractor or contractors, for building said asylum, bond with good and sufficient security, payable to the Governor of the State of Mississippi and his successors in office, in the penalty of double the amount of his contract, conditioned for the faithful performance of his contracts, within two years after the passage of this act.

Which was read, and, on motion of Mr. Guion, was adopted.

Mr. Bell moved that said bill be recommitted to the committee on the Lunatic Asylum, which was lost.

Mr. Guion offered the following amendment, to-wit:

Sec. 4. *Be it further enacted*, That it shall be the duty of the commisioners to advertise in the two newspapers published in the city of Jackson, for the period of six weeks, that sealed proposals for the erection of the work to be done, in the completion of said building, will be received by them for doing said work, or any part thereof; and they shall give the preference, in making such contracts, to the lowest bidder, who can give good and sufficient bond and security for his performance: *Provided*, That nothing in this section shall be so construed as to interfere with any contract heretofore made by the commissioners appointed by the law of 1848.

Which was read, and, on motion of Mr. Guion, was adopted.

On motion of Mr. Guion, the rule was suspended, the bill, as amended, considered as engrossed, read the third time and passed.

Mr. Golladay called for the ayes and nays thereon, which are as follows, to-wit:

Ayes—Mr. President, Messrs. Alcorn, Brooke, Catching, Cannon, Davis, Gilleland, Greer, Guion, Hodges, Hughes, McAfee, Pettus, Ramsay, Reynolds, Singleton, Stone, Stewart, Sharkey, Torrey, Talliaferro, Thompson, Tait, and White—24.

NAYS—Messrs. Bell, Berry, Beene, Carter, Drane, Golladay, and Kennedy—7.

Ordered, That the title thereof be as stated.

Mr. Ramsay asked and obtained leave to introduce a bill to be entitled, an act to reduce the rate of license to sell venious or spirituous liquors in certain counties therein named, which was read the first time.

On motion of Mr. Ramsay, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Ramsay, said bill was ordered to be engrossed for a third reading on to-morrow.

The following message was received from his Excellency the Governor, through his private Secretary, Mr. McDonald, to-wit:

MR. PRESIDENT—I am instructed by his Excellency the Governor, to inform the Senate that he has approved and signed bills with the following titles, to-wit:

An act to establish a Turnpike Road across Tombigbee swamp, near Fulton;

An act to limit the duties of Sheriffs, in certain counties;

An act to incorporate the Polkville Male and Female Academy, in the county of Smith.

Mr. Brooke asked and obtained leave to introduce a bill to be entitled an act to provide for the disposition of the surplus revenue, now in the treasury, and for other purposes, which was read the first time.

On motion of Mr. Brooke, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Brooke, said bill was referred to a committee of the whole House, and made the special order of the day for Wednesday next.

Mr. Alcorn asked and obtained leave to introduce a bill to be entitled, an act for the relief of Joseph A. Williamson, of Newton county, which was read the first time.

On motion of Mr. Carter, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Carter, said bill was referred to a select committee of three.

Mr. Carter, Pettus, and McDugald, were appointed said committee.

Mr. Berry, from the committee on Enrolled Bills, made the following report, to-wit:

MR. PRESIDENT—The joint standing committee on Enrolled Bills, have this day deposited in the office of the Secretary of State, the following bills without the signature of the Governor:

An act to change the name of Mary Ann Eliza Ligon, to Mary Ann Eliza McAlister, and for other purposes;

An act to change the name of James Irving Mills to that of James Irving Ruff.

Mr. Berry, from the committee on Enrolled Bills, made the following report, to-wit:

Mr. President—The joint standing committee on Enrolled Bills have this day examined bills of the following titles, viz:

An act to change the time of holding the Probate Court of Washington county, and for other purposes;

An act for the relief of E. C. Eggleston;

An act to authorize P. M. Oliver and John Robinson, or their assigns, to build a turnpike road through the swamp of Cold Water, in Desoto county, and have found the same correctly enrolled.

Mr. Berry, from the committee on Enrolled Bills, made the following report, to-wit:

Mr. President—The joint standing committee on Enrolled Bills have this day presented to his Excellency the Governor, for his approval and signature, bills of the following titles, to-wit:

An act for the relief of James W. Wade;

An act for the relief of the Sheriff of Newton county;

An act to change the name of Mrs. Judith Edwards, to that of Mrs. Judith Harrison;

An act to authorize Richard Pipkins to hawk and peddle free of license, in the counties of Greene and Perry;

An act to authorize John T. Oats to establish a ferry across Big Bear Creek, near the town of Eastport, in the county of Tishemingo;

Mr. Thompson asked and obtained leave to introduce a bill to be entitled, an act requiring the Judges of the Circuit Courts in this State to alternate circuits, was read the first time.

Mr. Beene asked and obtained leave to introduce a bill to be entitled an act to limit the liens of judgments in this State, which was read the first time.

On motion of Mr. Beene, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Beene, said bill was referred to the Judiciary committee.

Mr. McDugald, from a select committee, made the following report, to-wit:

Mr. President—The select committee to whom was referred the bill to limit the amount of county tax in the county of Greene, &c., having had the same under consideration, instructs me to report the bill without amendments, and recommend its passage.

Which was read, and on motion of Mr. McDugald, was received and agreed to, and the bill therein reported, to be entitled, an act to limit the amount of county tax in the county of Greene, was, on motion of Mr. McAfee, read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. White asked and obtained leave to call from the orders of the day, a bill to be entitled, an act for the relief of Jefferson J. Hughes, which was read the first time.

On motion of Mr. White, the rule was suspended, and the bill read the second time by title.

Mr. McDugald asked and obtained leave to offer the following resolution, to-wit:

Resolved, by the Senate, with the concurrence of the House of Representatives, that a joint meeting of both Houses take place in the Representative Hall, at ten o'clock, on Thursday, the 21st instant, for the purpose of electing an Assistant Keeper of the Penitentiary, for the next two years; which was read the first time.

Mr. McDugald moved that the rule be suspended, the resolution be read the second time, and put upon its passage, which was lost.

Mr. Sharkey asked and obtained leave to call from the table, a bill to be entitled, an act to incorporate the town of Warrenton, in the county of Warren.

Mr. Sharkey offered the following amendment to said bill, to-wit:

Sec. 9. *Be it further enacted*, That said president and selectmen shall have power to require of all persons residing in the corporate limits, who are liable to work on public roads, to work six days in each and every year on the public streets and highways within the limits of said town, and may, if deemed necessary, require any part of said six days' work to be performed on the levee in front of said town: *Provided*, the streets and highways are kept in good order, and the persons residing in said town shall be exempt from working on any other public road or highway.

Which was read, and, on motion of Mr. Sharkey, was adopted.

On the further motion of Mr. Sharkey, the rule was suspended, the bill as amended, considered as engrosed, read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Guion asked and obtained leave to introduce a bill to be entitled, an act to provide for the purchase of additional machinery, for the manufacture of Cotton and Wool in the Penitentiary, and for other purposes, which was read the first time.

On motion of Mr. Guion, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Guion, said bill was referred to a committee of the whole House, and made the special order of the day for 11 o'clock to-morrow.

The Senate again resumed the consideration of the orders of the day; a bill to be entitled, an act to authorize the State of Mississippi to subscribe for stock in the Mobile and Ohio Railroad Company, and for other purposes; which had been made the special order of the day for this hour, was, on motion of Mr. Berry, postponed until Tuesday next at 10 o'clock, A. M.

A bill to be entitled an act to refund certain moneys therein named

to V. Hamilton, tax collector of the county of Sunflower, was read a second time.

On motion of Mr. Brooke, the rule was suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act to legalize the sale of the Sixteenth Sections in the county of Jones, and for other purposes, was read the second time.

On motion of Mr. McAfee, the rule was suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act in reference to the bond of the Sheriff, as Assessor and Collector of Taxes of Hancock county, was read the first time.

On motion of Mr. Ramsay, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Ramsay, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act to extend the powers of the President and Selectmen of the town of Oxford, was read the first time.

A bill to be entitled, an act to regulate the working of public roads, and the building and repair of bridges in the county of Adams, and for other purposes, was read the first time.

On motion of Mr. Stewart, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Stewart, the rule was further suspended, the bill read a third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to repeal an act entitled, an act for the benefit of the Aberdeen Female Academy, and for other purposes, was read the first time.

On motion of Mr. Thompson, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Thompson, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act to amend an act, entitled, an act to amend an act to incorporate the Locopolis Railroad Company, approved Feb. 10, 1848, was read the first time.

On motion of Mr. Alcorn, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Alcorn, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act to legalize the lease of certain School Lands therein mentioned, was read the first time.

A bill to be entitled, an act granting a charter for a Turnpike and Ferry, at Panola, was read the first time.

On motion of Mr. Alcorn, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Alcorn, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act to establish Common Schools in the county of Holmes, was read the first time.

On motion of Mr. Brooke, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Brooke, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A resolution relative to the surplus money in the State Treasury, was read the third time.

On motion of Mr. Bell, said resolution was laid on the table.

Mr. Alcorn called for the ayes and nays thereon, which are as follows, to-wit:

AYES—Messrs. Bell, Berry, Beene, Catching, Cannon, Carter, Drane, Davis, Golladay, Gilleland, Greer, Guion, McAfee, Pettus, Ramsay, Singleton, Stone, Torrey, Talliaferro, and Thompson —20.

NAYS—Messrs. Alcorn, Brooke, Hodges, Kennedy, Reynolds, Stewart, Tait, and White—8.

A bill to be entitled, an act to approve and confirm the provisions of the last will and testament of Col. Thomas Y. Grinstead, deceased, in relation to woman Mary and her children; was read the second time.

Mr. Talliaferro asked and obtained leave to call up a bill to be entitled an act to extend the powers of the President and Selectmen of the town of Oxford, which was read the second time.

On motion of Mr. Talliaferro, said bill was referred to a select committee of three.

Messrs. Talliaforro, Bell, and Greer were appointed said committee.

Mr. Stone moved that the Secretary of the Senate be instructed to call upon his Excellency the Governor, for a bill to be entitled, an act to provide for the education of Poor Children in the county of Lawrence, which has passed both Houses of the Legislature, and sent to him for his approval and signature; which was decided in the affirmative.

Mr. Pettus asked and obtained leave to introduce a bill to be entitled an act to incorporate Kemper College, which was read the first time.

On motion of Mr. Pettus, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Pettus, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

On motion of Mr. Brooke, the Senate adjourned until to-morrow morning 10 o'clock.

THURSDAY, FEBRUARY 21, 1850.

The Senate met pursuant to adjournment; and was opened with prayer by the Rev. Mr. Henderson.

The journal of yesterday was read.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to-wit:

MR. PRESIDENT—The House of Representatives have passed the Senate bill entitled an act to incorporate the New Orleans and Jackson Railroad, and for other purposes, the objection of the Governor to the contrary notwithstanding; and have sustained the objections of the Governor to bills of the following titles:

An act for the benefit of Elijah Dupree, Jr., and Thomas B. Lenoir, Jr.;

An act to remove the civil disabilities of Telamacus S. Wyatt, a minor of Holmes county, and of James Haley, a minor of Madison county;

An act for the relief of Ira G. Killough;

An act for the relief of Thomas Archibald Reid and Rufus B. Ragan.

Mr. Sharkey, from the committee on Propositions and Grievances, made the following report, to-wit:

MR. PRESIDENT—The committee on Propositions and Grievances, to whom was referred the petition of Thomas Foster, praying for the passage of an act authorizing him to peddle in clocks, on more favorable terms than by a compliance with the requirements of the existing laws upon that subject, have had the same under consideration, and have found nothing in said petition which would warrant the Legislature in exempting the petitioner from the operations of the law regulating such trade. They therefore think it would be inexpedient to legislate upon the subject, and ask to be discharged from the further consideration of the matter.

Which was read, and, on motion of Mr. Sharkey, was received.

Mr. Sharkey, from the committee on Propositions and Grievances, made the following report, to-wit:

MR. PRESIDENT—The committee on Propositions and Grievances, to whom was referred the petition of J. Nelson, praying the Legislature to make an appropriation, to remunerate him for ex-

penses incurred in following and bringing back to the State, Wesley Brewen, charged with the murder of a negro, the property of the petitioner, have had the same under consideration, and have instructed me to report, that in the opinion of your committee, it is inexpedient to take legislative action on the subject. They therefore ask to be discharged from the further consideration of the same.

Which was read, and on motion of Mr. Sharkey, was received.

On motion of Mr. Cannon, said report was agreed to.

Mr. Sharkey, from the committee on Propositions and Grievances, made the following report, to-wit:

MR. PRESIDENT—The committee on Propositions and Grievances, to whom was referred an act to amend an act for the relief of J. Patterson, approved Jan. 22, 1848, have had the same under consideration, and have instructed me to report said bill back to the Senate, and recommend its passage.

Which was read, and, on motion of Mr. Sharkey, was received and agreed to.

Mr. Pettus, from the joint committee raised to investigate the books, correspondence, accounts, acts, &c., of the commissioners of the Southern railroad, created under an act approved 24th of Feb., 1848, made the following report, to-wit:

MR. PRESIDENT:—The committee raised to investigate the books, correspondence, accounts, acts, &c., of the Commissioners of the Southern Railroad, created under an act approved 24th February, 1848, have had the same under consideration, and instructed me to make the following Report:

The committee, on examining the books of said commissioners, find that Benjamin G. Weir and James E. Watts, both members of the Board of Commissioners, were appointed agents to repair to Virginia to purchase slaves, and received $60,774 81 from the Board, without requiring them to give any additional security, or fixing their compensation for such service; which sum is accounted for, in part, as follows:

Cost of eighty-four slaves, as per bills of sale.....	$47,297 50
Expenses incident to the purchase, such as traveling expenses, salary of sub-agents and principal agents, horses, wagons, &c.. as allowed by the Board of Commissioners.....	7,897 86
After allowing all the charges made by Weir and Watts, many of which were without vouchers, and many, in the opinion of your committee, very extravagant, we find a balance due by Weir and Watts of.....	5,673 45

On further examination, we find that James E. Watts has accounted to the Board for his portion of indebtedness, the Board of Commissioners adopting his settlement with B. G. Weir, and allowing him his traveling expenses, taking the route from Richmond,

Virginia, by the Northern Lakes, and paying him full time for such trip. After allowing these charges, J. E. Watts was still indebted to the fund $933 40, which he did not pay back until twelve months after his return.

James E. Watts received, as agent, for five months, at $80 per month		$400 00
Traveling bill to Richmond, Virginia, and back, by the Northern Lakes		282 40
Salary as Commissioner, since 4th March, '48, until 1st January, '50		458 33⅓
Amount received by J. E. Watts		$1,140 73⅓
Your committee, upon full investigation, believe that J. E. Watts is justly indebted to the Two per cent. Fund the following sums:		
To five months, paid as commissioner, while absent in Virginia	$100 40	
Interest on $933 40, for twelve months, at 6 per cent	56 00	
To bringing out four negroes from Richmond to Brandon, his private property, the expenses of which were paid out of Two per cent. Fund	28 00	
Indebtedness of J. E. Watts	$184 40	
Leaving, as appears from all the papers still in the hands of Benjamin G. Weir		$4,679 05
To which sum your committee would add the cost of bringing out thirty-one negroes, belonging to private individuals, at $7 a head	$217 00	
Reduction of extravagant bill, for which there was no voucher	135 00	
		352 00
		$5,131 05
To be credited by $100, undervalue of two slaves	$100 00	
Six and a half months' service as agent, at $80 per month	520 00	
Three and a half months' service as Commissioner, at $250 per annum	72 80	
		224 80
Indebtedness of Benjamin G. Weir		$4,338 25

Your committee, on further investigation, find that S. J. Denson, another Commissioner, was appointed General Superintendent of the Southern Railroad, at a salary of $75 per month, together with house rent, fuel, and provisions for his family. Your committee further find that said Denson, without authority from the Board, has

retained in his private employment one of the negroes belonging to said road, since the 22d day of July, 1848, and are of opinion that said Denson is justly chargeable with the hire of said negro, up to the present time; which, at $100 per annum, for seventeen months, amounts to..... $141 66⅔

The committee, in consideration of his want of knowledge of the business in which he was employed, as appeared from the testimony of the chief engineer, and in consideration of his receiving the appointment from a Board of five, of which he was himself a member, do consider him well paid for his services as General Superintendent at $300 per annum; amounting, since the 15th day of June, 1848, to 1st January, 1850, to..... 462 50

Added to which, services as Commissioner since 4th day of March, 1848, to 1st day of January, 1850, at $250 per annum..... 458 33⅓

Amounting, in all, to..... $920 83⅓

Said Denson received $75 per month as Superintendent, from 15th June, 1848, to 31st Dec., $488 50

From 1st January, 1849, to 1st January. 1850, at $75 per month..... 900 00

Hire of boy Scipio, since 22d July, 1848, to 1st day of January, 1850, at $100 per annum..... 141 66

Salary as Commissioner, since 4th March, 1848, to 1st January, 1850..... 458 33⅓

Total..... $1,988 49⅔

Deducting amount allowed..... 920 83⅓

Leaving S. J. Denson indebted to the Two per cent. Fund..... $1,067 66⅔

On further examination, we find Mr. W. C. Harper, another member of the Board of Commissioners, acting in the fourfold capacity of Commissioner, Secretary, Agent and Attorney, and receiving pay, at the same time, for all. He was appointed Secretary of the Board 4th April, at a salary of $60 a month, in addition to his salary as Commissioner, which, with charges as Agent and Attorney, together with traveling expenses, amounts to the sum of..... 2,199 73⅓

Your committee are constrained, from all the information before them, to believe, that the services of said Harper did not occupy, on an average, more than four days of each month; and we further believe that the services of Secretary of said Board could have been

rendered for half the amount, by any person having no connection with the Board; but when it is remembered that Mr. Harper received a salary, as commissioner, for attending the meetings of the Board, the committee believe he could have performed the duties of Secretary for less than any other individual. We therefore recommend that Mr. Harper be allowed, for his services as Secretary, $30 per month; which, with his salary of $250 per annum as commissioner, amounts to $610 a year—which, with his traveling expenses allowed, most of which are not sustained by vouchers, amounts, since the time of his appointment, to the sum of..... $1,283 73
Which amount, taken from..... 2,199 73½

Leaves Mr. Harper indebted to Two per cent. Fund... $916 00

Your committee would here state, by way of explanation, that nothing in this report in relation to the action of the commissioners, is applicable or intended to apply to C. M. Price, James Roach, or Dr. D. O. Williams; the last named gentleman having, as president of the board, diapproved of the appointment of commissioners to offices in the gift of the board, and urged those who held such offices, to resign; and their resignations were tendered, and refused by the board on the ground that it was only thirty days to the meeting of the Legislature.

From an examination of the books of the commissioners, it appears they have been fairly and correctly kept, and show, that exclusive of the purchase of the slaves, and the labor performed by them on the road, the commissioners have expended something over one hundred and fifty-five thousand dollars.

The reasons that have influenced the committee to go behind the action of the board of commissioners, and recommend a reduction of the salaries of the several members of said board, employed by them to conduct the operations on the road, are these: That the commissioners, as appointed by the act of 1848, were mere trustees for the State, and they either mistaking the true meaning and construction of the act of the Legislature creating them a board of commissioners, or totally disregarding its provisions, have appointed each other to the several offices of agents for the purchasing of negroes, general superintendent, and secretary. And for reasons still unknown to your committee, the compensation of these officers was not fixed for many months after their appointment, (i. e. six or seven) and believing they have transcended their authority, their acts should not be considered binding; we therefore recommend that the legislature should revise their action and fix their compensation at a fair and equitable equivalent for the services rendered. And should the Legislature agree to the recommendations herein made, your committee are satisfied the commissioners will receive a full equivalent for any services they have rendered.

The progress made in the construction of this road has not, in the opinion of the committee, been such as might reasonably have been expected from the means employed. Much of this delay may be justly chargeable to a want of experience and skill in those commissioners directing the operations, and some to the unusual amount of rain in the summer of 1849. From the amount of labor done many years ago, and from the report of the commissioners appointed by the act of 1846, showing that seven miles of this road was graded and ready for laying down the iron, the people immediately interested in this road, confidently expected that by this time the road would have been completed several miles beyond Brandon. Their reasonable expectations have been disappointed; the road is not yet completed to Brandon by three fourths of a mile. And your committee are convinced, that the disappointment in this matter is mainly owing to a want of energy and skill on the part of the commissioner conducting this work.

Your committee deem it inexpedient to trouble the Senate with a lengthy account of the great importance of this road to the State of Mississippi and the southern States of this Union; we would, however, present a few reasons for recommending its continuation to the Alabama line, with a full conviction that it would at no distant day be continued through the State of Alabama to Montgomery, thus completing a continuous line of railroad from Vicksburg to Charleston.

That portion of our State through which this road is proposed to be constructed, is enormously burthened by the cost of transporting their crops to market, amounting in many instances to more than five dollars per bale, thus rendering almost valueless a large portion of the lands in East Mississippi. The passage of this road through this portion of the State would greatly enhance the value of land now cultivated, and promote the speedy settlement and cultivation of much that is now unproductive woods, thus adding greatly to the wealth and population of the State. These and the happy effects of the completion of this road on the prosperity of Vicksburg, one of our most important commercial points, might alone be sufficient to recommend the continuation of this road to the favorable consideration of the Legislature; but when to these reasons is added the vast importance of this work as a means of drawing more closely together the southern States of this confederacy, not only to facilitate their commerce and friendly intercourse, for their mutual protection and defence, should protection or defence be needed from insurrection within or invasion without, your committee feel bound to recommend this road to your favorable consideration as one of the most important and necessary works of internal improvement in the South.

All which is respectfully submitted.

JOHN J. PETTUS,
Chairman on the part of the Senate.

Which was read, and, on motion of Mr. Pettus, was received and agreed to.

On motion of Mr. Singleton, 500 copies of said report was ordered to be printed for the use of the Legislature.

Mr. Sharkey, from the committee on Propositions and Grievances, made the following report, viz:

Mr. President—The committee on Propositions and Grievances, to whom was referred a bill to be entitled, an act to for the benefit of Mary Davis, widow of John R. Davis, deceased, have had the same under consideration, and have instructed me to report said bill back, and recommend its passage.

Which was read, and on motion of Mr. Sharkey, was received and agreed to.

Mr. Sharkey, from the committee on Propositions and Grievances, made the following report, viz:

Mr. President—The committee on Propositions and Grievances, to whom was referred the petition of John Patterson, judge, and W. S. Cook, clerk, of the probate court of Bolivar county, praying to have certain records in said office transcribed into suitable books, and authorizing the judge to allow said clerk a reasonable compensation for such extra services, have had the same under consideration, and have instructed me to report, that the petition does not sufficiently set forth the grievance complained of, to enable your committee to recommend an appropriate remedy. They are aware of the importance of having the records of the probate clerks' office, in the various counties, kept in well bound books, and in an intelligible manner; but are not prepared to constitute the judge of probate the exclusive judge of what is necessary to be transcribed, and what compensation shall be allowed for such extra service. They, therefore, ask to be discharged from the further consideration of the subject.

Which was read, and, on motion of Mr. Sharkey, was received and agreed to.

Mr. Beene, from a select committee, made the following report, to-wit:

Mr. President—The committee to whom was referred the claims of sundry citizens of Pontotoc county, have had the same under consideration, and a majority of said committee have instructed me to report, that in the fall of 1847, a company of volunteers was raised in the county of Pontotoc, called the "Avengers;" and that for the purpose of aiding said company to reach the place of rendezvous, at the city of Vicksburg, a number of the citizens of Pontotoc county, being assured the same would be refunded to them, furnished the said company with a quantity of blankets, clothing, provisions, and money besides, to pay their expenses to Memphis, and to transport them thence down the river to Vicksburgh.

The War Department being the proper place to apply to for the

expected re-imbursement of the sums advanced, it appears that the individuals who advanced the money and supplies mentioned, did make application to that department; but it also appears that said claims were not allowed, owing to the rigid rules and requirements of the accounting officers of the Department, in the adjudication and adjustment of claims against the Government—rules requiring the precise manner in which the means have been expended, with items, dates, vouchers, &c., which could not be complied with in every particular, on the part of the claimants, owing to the death of Capt. Wray, the commander of the company.

Your committee believe that these claims are just, and ought to be paid, and also all claims of the same nature. That it ought not to be expected that a Government as rich in means and resources as ours, should allow her citizens to go unrequited for the display of patriotic devotion so strongly manifested in the late war with Mexico. Our citizens, who urged on their neighbors and fathers, who pushed off their sons, and who poured out their means, in money, clothing, or other supplies, to assist them in reaching the camp, your committee believe are entitled to the regard of their countrymen, and a just remuneration for the money and other means expended in their country's cause, as well as the soldier who repaired to the camp.

If this be not the case, it will be calculated to discourage them, and it could not be expected that they would in any future emergency, come to the rescue with the same alacrity as heretofore. The same interest cannot be felt for the protection, preservation, and fame of a Government, when confidence is wanting in regard to its justness on the part of its citizens.

The claims under consideration, your committee believe, are properly chargable to the General Government, but having for the reasons stated, refused to allow them, your committee recommend that the same be paid by the State, and have instructed me to report a bill to that effect.

Which was read, and, motion of Mr. Bell, was received, and the bill therein reported, to be entitled, an act for the relief of Joel Pinton, and others, was read the first time.

The following message was received from his Excellency the Governor, through his private secretary, Mr. McDonald, to-wit:

Mr. President—In compliance with a resolution of the Senate, I am instructed by his Excellency the Governor, to return to the Senate, for reconsideration, a bill entitled, an act to provide for the education of the poor children in the county of Lawrence.

Mr. Singleton, from the committee on the Judiciary, made the following report, to-wit:

Mr. President—The standing committee on the Judiciary, to whom was referred, a bill to be entitled, an act to regulate damages on bills of exchange, have had the same under consideration,

and have instructed me to report the bill back to the Senate without amendment, and recommend that it do not pass.

Which was read, and on motion of Mr. Singleton, was received and agreed to.

Mr. Singleton, from the committee on Propositions and Grievances, made the following report, to-wit:

MR. PRESIDENT—The standing committee on Propositions and Grievances, to whom was referred a bill to be entitled, an act for the relief of the State commissioner, have had the same under consideration, and have instructed me to report the bill back to the Senate without amendment, and recommend its passage.

Which was read, and, on motion of Mr. Singleton, was received and agreed to.

Mr. Ramsay, from a select committee, made the following report, to-wit:

MR. PRESIDENT—The special committee to whom was referred the petition of sundry citizens of Mississippi City, in Harrison county, have had the same under consideration, and I am instructed by a majority of said committee, to report a bill and recommend its passage.

Which was read, and, on motion of Mr. Ramsay, was received and agreed to, and the bill therein reported, to be entitled, an act to prohibit the sale of brandy, rum, gin, and whiskey, within four miles of the court-house of Harrison county, located in Mississippi City, in said county, was read the first time.

Mr. Carter, from a select committee, made the following report, to-wit:

MR. PRESIDENT—The select committee to whom was referred a bill for the relief of Joseph A. Williamson. Jr., have had the same under consideration, and have substituted another in the place of the original one, and have instructed me to report the same to the Senate and recommend that it do pass.

Which was read, and, on motion of Mr. Carter, was received and agreed to, and the bill therein reported as a substitute, to be entitled an act for the relief of Joseph A. Williamson, Jr., was read the second time.

On motion of Mr. Carter, the rule was suspended, the bill considered as engrossed, read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Singleton asked and obtained leave to call up a bill, to be entitled, an act for the relief of the State Commissioner, which was read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Berry, from the committee on Enrolled Bills, made the following report, to-wit:

MR. PRESIDENT—The joint standing committee on Enrolled Bills, have this day examined bills of the following titles, to-wit:

An act to limit the amount of County Tax in the county of Greene;

An act in reference to the Bond of the Sheriff, as Assessor and Collector of Taxes of Hancock county;

An act to repeal an act, entitled, an act for the benefit of the Aberdeen Female Academy, and for other purposes;

An act to refund certain moneys therein named, to V. Hamilton, tax collector of the county of Sunflower;

An act to amend an act entitled an act to amend an act to incorporate the Locopolis Railroad Company, approved February 10, 1848;

An act granting a charter for a Turnpike and Ferry at Panola;

An act to legalize the sale of the 16th sections in the county of Jones, and for other purposes;

An act to regulate the working of Public Roads and the building and repair of Bridges, in the county of Adams, and for other purposes;

And have found the same correctly enrolled.

Mr. Singleton, from the committee on Propositions and Grievances, made the following report, to-wit:

Mr. President—The committee on Propositions and Grievances, to whom was referred the petition of Benjamin Atkinson and Eliam Atkinson, praying the Legislature to pass some law to aid them in compelling the circuit court of Atalla county to give them a speedy trial in a civil suit therein pending, have had the same under consideration, and have instructed me to report, that in their opinion, the Legislature can afford them no relief in the premises, and ask that they be discharged from the further consideration of the subject.

Which was read, and, on motion of Mr. Singleton, was received and agreed to.

Mr. Cannon presented the petition of the citizens of township No. 17, range 19 east, of Lowndes county.

Which was read, and accompanied said petition by a bill, to be entitled, an act to authorize the citizens of fractional township No. 17, in range 19 east, in Lowndes county, to organize a board of trustees, consisting of three members, which was read the first time.

On motion of Mr. Cannon, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Cannon, the rule was further suspended, the bill considered as engrossed, read the third time and passed.

Ordered, That the title thereof be as stated.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to-wit:

Mr. President—The Speaker of the House of Representatives has signed bills of the following titles, viz:

An act to limit the amount of County Tax in the county of Greene;

An act in reference to the bond of the Sheriff, as Assessor and Collector of Taxes of Hancock county;

An act to repeal an act entitled, an act for the benefit of the Aberdeen Female Academy, and for other purposes;

An act to refund certain moneys therein named, to V. Hamilton, tax collector of the county of Sunflower;

An act to amend an act, entitled, an act to amend an act to incorporate the Locopolis Railroad Company, approved Feb. 10th, 1848;

An act to granting a charter for a Turnpike and Ferry, at Panola;

An act to legalize the sale of the 16th sections in the county of Jones, and for other purposes;

An act to regulate the working of public roads, and the building and repair of bridges in the county of Adams, and for other purposes;

An act to change the time of holding the Probate Court of Washington county, and for other purposes;

An act for the relief of E. C. Eggleston;

An act to authorize P. M. Oliver and John Robinson, or their assigns, to build a turnpike road through the swamp of Cold Water, in Desoto county.

Which I am instructed to present to the Senate for the signature of the President.

Mr. President presented to the Senate a bill to be entitled, an act to provide for the education of poor children, in the county of Lawrence, which had passed both Houses of the Legislature, and been sent to the Governor, for his approval and signature; which bill has been withdrawn by a resolution of the Senate.

On motion of Mr. Stone, the unanimous consent of the Senate was given for him to offer the following amendment to said bill, to-wit:

Amend by inserting, after the word "liquors," in the first section second line, the words, "that may be collected and received into the treasury of the county of Lawrence;" which, on the further motion of Mr. Stone, was unanimously adopted.

Mr. Cannon asked and obtained leave to offer the following resolution, to-wit:

Resolved by the the Legislature of the State of Mississippi, That W. L. Sharkey, Alex. M. Clayton, and C. P. Smith, have leave of absence from the State, for three months, at any time which will not interfere with the regular session of the high court of errors and appeals.

Which was read the first time.

On motion of Mr. Cannon, the rule was suspended, and the resolution read the second time and adopted.

On motion of Mr. Golladay, leave of absence was granted to Mr. Tait for a few days.

Mr. Talliaferro, from a select committee, made the following report, to-wit:

Mr. President—The select committee to whom was referred the bill to extend the powers of the president and selectmen of the town of Oxford, in the county of Lafayette, have had the same under consideration, and direct me to report the same back to the Senate, and to recommend that it shall not pass.

Which was read, and, on motion of Mr. Talliaferro, was received and agreed to.

The Senate proceeded to the consideration of the orders of the day, and resolved itself into committee of the whole, on a bill to be entitled, an act to provide for the sale of the 500,000 acres of land, donated to the State of Mississippi, by the Congress of the United States, for the purpose of internal improvement, and to repeal an act with the same title, approved February 23, 1848; Mr. Bell in the Chair, and after some time spent therein, the committee rose, and Mr. Bell reported said bill back to the Senate without amendment, and asked leave to sit again on Thursday next at eleven o'clock, A. M.

On motion of Mr. Bell, the report was received and agreed to.

The following message was received from his Excellency the Governor, through his private Secretary, Mr. McDonald, to-wit:

Mr. President—I am instructed by his Excellency the Governor, to inform the Senate that he has approved and signed bills with the following titles, to-wit:

An act for the relief of James W. Wade;

An act to incorporate the Panola and Desoto Plank Road Company.

Mr. Berry, from the committee on Enrolled Bills, made the following report, to-wit:

Mr. President—The joint standing committee on Enrolled Bills have this day presented to his Excellency the Governor, for his approval and signature, a bill of the following title, to-wit:

An act for the relief of E. C. Eggleston.

The following message was received from his Excellency the Governor, through his private secretary, Mr. McDonald, to-wit:

Mr. President—I am instructed by his Excellency the Governor, to inform the Senate, that he has this day approved and signed a bill of the following title, to-wit:

An act for the relief of E. C. Eggleston.

Mr. Guion asked and obtained leave to offer the following resolution, to-wit:

Resolved, That the claims of A. A. Catlet, G. M. Barnes, J. M. Hinds, A. Marshall, Wm. Boddie, J. Calquhoun, J. Redfearn, S. Matthews, G. G. Smith, H. H. Noland, J. W. Ragand, and Thos. Gordon, for serving as jurors on the trial of issue in the case of E.

S. Farish *vs.* The State of Mississippi, in the superior court of chancery; and also the claim of Thomas Gordon, for serving as a juror, in the case of William Wing *vs.* The State, in the same court, be referred to the committee on claims, with instructions to insert them in the general appropriation bill.

Which was read, and, on motion of Mr. Guion, was adopted.

Mr. Singleton asked and obtained the unanimous consent of the Senate, to offer the following amendment to a bill to be entitled, an act to incorporate Pearl River Female Academy, in township 7, range 2 west; which said bill has passed both Houses of the Legislature, to-wit:

Amend, by striking out in said bill, wherever it occurs, the word "west," and insert the word "east," which amendment was read, and, on motion of Mr. Singleton, was unanimously adopted.

The Senate resumed the consideration of the orders of the day, and resolved itself into committee of the whole on a bill to be entitled, an act to provide for the purchase of additional machinery for the manufacture of cotton and wool, in the penitentiary, and for other purposes, Mr. Golladay in the Chair; and after some time spent therein, the committee rose, and Mr. Golladay reported said bill back to the Senate with the following amendments, and recommend its passage, to-wit:

Sec. — *Be it further enacted*, That from and after the passage of this act, all articles that have been repaired, or may hereafter be repaired in the penitentiary, and the owner or owners of such articles shall fail or refuse to pay the charges for such repairs, it shall be the duty of the superintendent, (notice first being given to the owner of the article repaired, that it is ready for delivery,) to sell the same to the highest bidder, after giving ten days' notice of such sale, by written notice of such sale posted up at three of the most public places in the city of Jackson; and after deducting from the amount of such sale the cost of the repairs, shall pay the balance, if any, to the owner or owners of the property so sold.

Sec. — *Be it further enacted*, That the guard or superintendent of each work-shop, factory, or other place of labor, wherein said convicts are employed, shall keep a book wherein shall be entered daily, each and every article made or manufactured under his superintendence, which book shall, at the close of each day, be exhibited to the clerk, whose duty it shall be to make a transcript of such articles, in a book to be kept by him for that purpose, with the date of the entry as aforesaid.

Strike out the eighth section of said bill, and insert as follows, to-wit:

Sec. 8. *Be it further enacted*, That the office of assistant keeper be, and the same is hereby abolished, and the superintendent is hereby authorized, in case of his necessary absence from the prison,

to appoint the sergeant of the guard to perform the duties of superintendent.

Sec. — *Be it further enacted*, That no money shall be drawn from the treasury of the State for the use of the penitentiary, but upon the warrant of the Auditor of Public Accounts, issued according to the requisition of the Governor of the State, issued and founded upon the certificate of the board of inspectors, of the character, and amount of the claim to be paid.

Mr. Golladay moved that the report be received and agreed to.

Mr. Carter called for a division of the question.

The vote was first taken on receiving said report, which was decided in the affirmative.

Mr. Carter moved that said report be disagreed to, which was decided in the negative.

Mr. Carter called for the ayes and nays thereon, which are as follows, to-wit:

Nays—Messrs. Alcorn, Catching, Carter, Hodges, Kennedy and McAfee—6.

Ayes—Mr. President, Messrs. Brooke, Bell, Berry, Beene, Cannon, Drane, Davis, Golladay, Gilleland, Greer, Guion, Hughes, McDugald, Pettus, Ramsay, Reynolds, Singleton, Stone, Stewart, Sharkey, Talliaferro, Thompson, and White—24.

Mr. Brooke moved that the Senate adjourn until Saturday morning, 10 o'clock, which was lost.

Mr. Alcorn asked and obtained leave to introduce a bill to be entitled, an act for the benefit of L. L. Bridges, sheriff of Coahoma county, which was read the first time.

On motion of Mr. Alcorn, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Alcorn, said bill was ordered to be engrossed for a third reading on Saturday next.

On motion of Mr. Brooke, the Senate adjourned until Saturday morning, 10 o'clock.

SATURDAY, February 23, 1850.

The Senate met pursuant to adjournment.

The journal of Thursday was read.

Mr. Sharkey, from the committee on Propositions and Grievances, made the following report, to wit:

Mr. President—The committee on Propositions and Grievances, to whom was referred the memorial of certain citizens of Claiborne county, praying the Legislature to exempt John Byrd, a free mulatto, and his wife, from the operations of the law requiring

free negroes to leave this State, have had the same under consideration, and have instructed me to report that, in the opinion of your committee, there is nothing set forth in said petition calling for an exemption from the law upon the subject. Your committee, therefore, recommend that the prayer of the petitioner shall not be granted, and ask to be discharged from the further consideration of the subject.

Which was read, and, on motion of Mr. Sharkey, was received and agreed to.

Mr. Beene, from the committee on Engrossed Bills, made the following report, to wit:

Mr. President—The committee on Engrossed Bills have this day examined bills of the following titles, to wit:

A bill to be entitled an act to reduce the rate of license to retail vinous or spiritous liquors in certain counties therein named;

A bill to be entitled an act to provide for the purchase of additional machinery for the manufacture of cotton and wool in the penitentiary, and for other purposes;

A bill to be entitled an act for the benefit of L. L. Bridges, sheriff of Coahoma county;

And have found the same correctly engrossed.

Mr. Guion presented the claim of C. O. Dickson and A. A. Catlett; which, on motion of Mr. Guion, was referred to the Committee on Claims.

Mr. Berry, from the committee on Enrolled Bills, made the following report, to wit:

Mr. President—The joint standing committee on Enrolled Bills have this day examined bills of the following titles, to wit:

An act for the relief of the State Commissioner;

An act to establish common schools in the county of Holmes;

And have found the same correctly enrolled.

Mr. Torrey presented the memorial Vines L. Collier and William Carter; which was read, and, on motion of Mr. Torrey, was referred to the committee on Propositions and Grievances.

Mr. Sharkey presented the petition of B. H. Cook, and divers other citizens of Vicksburg, praying the passage of an act by the Legislature making a change in the law relative to interest on loaned money; which, on motion of Mr. Sharkey, was referred to the Judiciary Committee.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

Mr. President—The House of Representatives have passed bills with the following titles:

A bill to be entitled an act to change the time of holding the circuit courts of the third judicial diitrict of this State, and for other purposes;

A bill to be entitled an act to legalize the sales of the sixteenth sections in Copiah, Coahoma, Sunflower and Hancock counties;

A bill to be entitled an act for the suppression of the game of rondo, and for other purposes;

A bill to be entitled an act concerning costs of prosecutions of slaves for minor offences;

A bill to be entitled an act to repeal an act entitled an act to amend an act entitled an act to establish a system of common schools, and for other purposes, approved March 4th, 1846, approved March 4th, 1848, so far as said act applies to the county of Adams, and for other purposes;

A bill to be entitled an act to authorize the ranger of Covington county to receive all claims against said county for strays sold by him, and for other purposes;

A bill to be entitled an act to incorporate the Enterprize Bridge Company, in the county of Clarke;

A bill to be entitled an act for the distribution of public State papers, census returns, statistics, &c.;

A bill to be entitled an act to repeal an act entitled an act prescribing the duties of county treasurers, approved February 25th, 1842, so far as relates to the county of Adams;

A bill to be entitled an act to prescribe the times of holding the regular terms of the police court of De Soto county;

A bill to be entitled an act to incorporate the Cold Water and Hickahaly Turnpike Company;

A bill to be entitled an act regulating and defining the powers of the commissioner of the Homochitto river;

A bill to be entitled an act to incorporate the Hinds County Manufacturing Company;

A bill to be entitled an act to enable Telemacus S. Wyatt to settle and compromise with the heirs of James Scott, deceased;

A bill to be entitled an act to incorporate the town of Okolona, in the county of Chickasaw;

A bill to be entitled an act to incorporate the Gainsville Railroad Company;

A bill to be entitled an act permanently to locate the seat of justice of Harrison county, and for other purposes;

A bill to be entitled an act to amend the laws of this State in relation to appeals taken from the judgments rendered in justices courts;

A bill to be entitled an act to levy a tax on all the State lands lying in the county of Bolivar, for the purpose of constructing a levee on the Mississippi river in said county, and the lands owned by the State in the counties of Washington and Issaquena;

In all of which I am instructed to desire the concurrence of the Senate.

The House of Representatives have given leave to the introduction of bills with the following titles:

A bill to be entitled an act to recover taxes illegally assessed on lands in Jefferson county;

A bill to be entitled an act to prohibit the introduction of slaves into this State, as merchandize, or for sale or hire;

A bill to be entitled an act to authorize John Flag to establish and keep a ferry at a point known as Conn's ferry, on Big Black river;

A bill to be entitled an act to locate the seat of government of the State of Mississippi;

A bill to be entitled an act to change the mode of electing commissioners to superintend the construction of the Southern Railroad;

A bill to be entitled an act supplemental to an act entitled an act to incorporate the Yazoo and Big Black Plank Road Company, and for other purposes, approved February 8th, 1850;

A bill to be entitled on act for the protection of the State and school lands;

A bill to be entitled an act for the relief of Z. P. H. Farr;

A bill to be entitled an act to provide for compensating jurors who serve in trials of forcible entry and detainer, and unlawful detainer;

A bill to be entitled an act requiring grand jurors and bailiffs of grand jurors, to secresy;

A bill to be entitled an act to abolish securities in certain cases therein named;

A bill to be entitled an act subjecting any property to distress for the payment of taxes and road delinquencies;

A bill to be entitled an act to amend the election laws of this State;

A bill to be entitled an act to amend an act entitled an act to repeal parts of an act entitled an act concerning limitations of actions, approved February 24th 1844;

A bill to be entitled an act to distribute the Three per cent. Fund now in the State Treasury, and for other purposes;

A bill to be entitled an act to regulate the practice in the Courts of Equity of the State of Mississippi;

A bill to be entitled an act to authorize the members of the board of police to issue writs of election, and to approve bonds;

A bill to be entitled an act to amend the criminal laws of the State of Mississippi;

A bill to be entitled an act to authorize and require the Attorney General to commence suit against the trustees of Jefferson College, and for other purposes;

A bill to be entitled an act to amend an act to provide for licensing billiard tables, approved February 23d, 1844;

A bill to be entitled an act to amend the law of appeals from the decisions of justices of the peace;

A bill to be entitled an act declaring certain notarial acts evidence in the courts of law and equity in this State, and for other purposes;

A bill to be entitled an act to secure the collection of taxes on delinquent lands, and for other purposes;

A bill to be entitled an act to regulate the laws of this State in relation to the trial of the right of property in justices' courts;

A bill to be entitled an act to regulate milage of members of the Legislature;

A bill to be entitled an act to repeal an act to incorporate the Deer Creek Navigation Company, approved March 4th, 1848, and for other purposes.

The Speaker of the House of Representatives has signed bills with the following titles:

An act for the relief of the State Commissioner;

An act to establish common schools in the county of Holmes;

Which I am instructed to present to the Senate for the signature of the President.

The President signed the bills therein named.

Mr. Singleton, from a select committee, made the following report, to wit:

Mr. President—The select committee to whom was referred a bill to be entitled an act to amend an act to incorporate the Canton and Jackson Railroad Company, approved February 1st, 1841, and passed February 7th, 1848, have had the same under consideration, and have instructed me to report the same back to the Senate, with the following amendments, and recommend its passage:

Amend section seventh by striking out all the ninth line to the word are, and insert, in lieu thereof, "a majority of the number of the votes cast for the several candidates for Governor of this State at the November election, eighteen hundred and forty-nine."

Amend same section by striking out of the thirteenth line all after the word "but," to the word "the," in the fifteenth line, and insert, in lieu thereof, "unless a majority of the number of votes so cast, as aforesaid, for the candidates for Governor, shall vote in favor of."

Amend same section, line twenty-three, by inserting, after the word "aforesaid for the candidates for Governor." Also, at the beginning of said line, the words "number of."

Amend same section, twenty-ninth line, by striking out the word "fifty," and insert, in lieu thereof, "one hundred."

Amend section ten, line ten, by striking out the word "fifty," and insert, in lieu thereof, "one hundred."

Amend by the following additional section:

Section 10. *Be it further enacted,* That the time of holding said election shall be advertised for at least four weeks, consecutively, preceding said election, in the newspapers printed in the town of Canton, and by notice posted up at five of the most public places in said county.

Which was read, and, on motion of Mr. Singleton, was received and agreed to; and the bill therein reported was, on the further

motion of Mr. Singleton, ordered to be engrossed for a third reading on Monday next.

Mr. Sharkey, from a joint select committee, made the following report, to wit:

Mr. President—The joint select committee to whom was referred a House bill entitled an an act to provide for the payment of the bonds of Mississippi sold on account of the Planters' Bank, have had the same under consideration, and have instructed me to report the following, as a substitute for said bill, and recommend its passage. Which was read.

Mr. Sharkey moved that said report be received and agreed to.

Mr. Bell called for a division of the question.

The vote was first taken on receiving said report; which was decided in the affirmative.

The vote was next taken on agreeing to said report, which was decided in the affirmative; and the bill therein reported, to be entitled an act to provide for the payment of the bonds of the State, sold on account of the Planters' Bank, was read the first time.

On motion of Mr. Sharkey, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Sharkey, 500 copies of the said bill were ordered to be printed for the use of the Legislature, and it be made the special order of the day in committee of the whole, at 12 o'clock, M., on Tuesday next.

Mr. Thompson asked and obtained leave to introduce a bill to be entitled an act amendatory of the law in relation to the condemnation of timber for building and repairing bridges and causeways; which was read the first time.

On motion of Mr. Thompson, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Thompson, said bill was ordered to be engrossed for a third reading on Monday next.

Mr. Singleton asked and obtained leave to introduce a bill to be entitled an act to amend the criminal laws of Mississippi; which was read the first time.

On motion of Mr. Singleton, the rule was suspended and the bill read the second time by title.

On the further motion of Mr. Singleton, said bill was referred to the Judiciary committee.

Mr. Berry, from the committee on Enrolled Bills, made the following report, to-wit:

Mr. President—The committee on Enrolled Bills have this day presented to his Excellency the Governor, for his approval and signature, bills of the following titles, to-wit:

An act granting a charter for a turnpike or ferry at Panola;

An act to amend an act entitled an act to amend an act to incorporate the Locopolis Railroad company, approved February 10, 1848;

An act in relation to the bond of the sheriff as assessor and collector of taxes of Hancock county;

An act to regulate the working of public roads, and the building and repair of bridges, in the county of Adams, and for other purposes;

An act to refund certain moneys therein named to V. Hamilton, tax collector of the county of Sunflower;

An act to change the time of holding the Probate court of Washington county, and for other purposes;

An act to authorise Peter M. Oliver and John Robertson, or their assigns, to build a turnpike road through the swamp of Coldwater, in Desoto county;

An act to legalise the sale of the sixteenth section, in the county of Jones, and for other purposes;

An act to limit the amount of county tax in the county of Greene;

An act to repeal an act entitled an act for the benefit of the Aberdeen Female Academy, and for other purposes.

Mr. Hughes asked and obtained leave to introduce a bill to be entitled an act to declare the several acts incorporating the Louisville Academy; which was read the first time.

On motion of Mr. Hughes, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Hughes, the rule was further suspended, the bill considered as engrossed, read the third time and passed.

Ordered, that the title thereof be as stated.

Mr. Brooke asked and obtained leave to introduce a bill to be entitled an act to provide for the transcribing of certain records in Bolivar county; which was read the first time.

On motion of Mr. Brooke, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Brooke, the rule was further suspended, the bill considered as engrossed, read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Cannon asked and obtained leave to introduce a bill to be entitled an act to regulate the practice in regard to writs of Error and Appeals; which was read the first time.

On motion of Mr. Cannon, the rule was suspended, and the bill read the second time by title.

Mr. Brooke offered the following amendment, to wit:

Section —. *Be it further enacted*, That hereafter the judges of the High Court of Errors and Appeals, shall be required to deliver written opinions only in such cases as they may direct to be reported, or in cases which may be reversed and remanded for further proceedings in the courts from which they were brought,

when such opinions may be necessary for the guidance of said courts.

Which was read, and on motion of Mr. Brooke, was adopted.

On motion of Mr. Cannon, said bill, as amended, was referred to a select committee of three.

Messrs. Brooke, Sharkey and Singleton, were appointed said committee.

Mr. Cannon being excused from acting on the same.

Mr. Stone asked and obtained leave to offer the following resolution, to wit:

Resolved, That the committee on Finance be instructed to inquire into the situation of the loan made to Jefferson College, A. D. —, by the State of Mississippi, and report whether it is expedient to collect said loan;

Which was read, and, on motion of Mr. Stone, was adopted.

Mr. Brooke, from a select committee, made the following report, to wit:

Mr. President—The select committee to whom was referred the bill to be entitled an an act to authorise the Auditor and Treasurer to pay for advertising the Chickasaw school lands, have had the same under consideration, and a majority of said committee have instructed me to report said bill back to the Senate, and recommend its passage;

Which was read, and, on motion of Mr. Brooke, was received and agreed to, and the bill therein reported, to be entitled an act to authorise the Auditor and Treasurer to pay for advertising the Chickasaw school land, was read the third time.

Mr. Carter moved the indefinite postponement of said bill, which was lost.

Mr. Carter moved, that said bill be laid on the table; which was lost.

Mr. Alcorn moved, that said bill be recommitted to a select committee of three, with instructions, &c.; which was lost.

Mr. Drane offered the following amendment to said bill, by way of ryder, to wit:

Section —. *And be it further enacted*, That the said Martin shall only receive as compensation, according to the rate allowed by the Secretary of State to those papers employed by him to perform similar services;

Which was read, and, on motion of Mr. Drane, was adopted.

Mr. Catching moved, that the vote just taken on the adoption of said amendment be reconsidered; which was decided in the affirmative.

On motion of Mr. Hodges, said bill and amendment was recommitted to a select committee of three.

Messrs. Brooke, Cannon and Greer, were appointed said committee.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

Mr. President—I am instructed by the House of Representatives to present to the Senate, an act for the relief of the widow of Lomax Commack; which was withdrawn from the Governor by leave of the House for the purpose of amending the same. The amendment has been unanimously adopted by the House, and I am instructed to desire the concurrence of the Senate to the same.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

Mr. President—The House of Representatives have unanimously agreed to the amendments made by the Senate to the following bills, which were withdrawn from the Governor:

An act to incorporate Pearl River Female Academy, in township seven, range two west, in Madison county;

An act to provide for the education of the poor children in the county of Lawrence.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

Mr. President—The Speaker of the House of Representatives has signed bills with the following titles, to wit:

A bill to be entitled an act to incorporate Eudocia College, in town of Black Hawk, Carroll county;

A bill to be entitled an act to amend an act entitled an act to incorporate the town of Kosciusko, in the county of Attala;

In which I am instructed to desire the concurrence of the Senate.

The Senate proceeded to the consideration of the orders of the day.

A bill to be entitled an act for the relief of Jefferson J. Hughes, was read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to legalise the lease of certain school lands therein mentioned, was read the second time.

A bill to be entitled an act to confirm Samuel H. King the privileges granted him by the Board of Police in Tippah county, on the 11th of April, 1848, was read the first time.

On motion of Mr. Berry, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Bell, said bill was committed to a committee of the whole house and made the special order of the day for Monday next.

Mr. Alcorn asked and obtained leave to call up a bill to be entitled an an act for the relief of the widow Lomax Commack; which bill passed both Houses of the Legislature, and had been sent to the Governor for his approval and signature, and been recalled by a resolution of the House of Representatives, and amended by said House, and reported to the Senate for their con-

currence; which amendment was read, and on motion of Mr. Alcorn, was unanimously concurred in.

On motion of Mr. Hodges, the Senate adjourned till Monday morning, 10 o'clock.

MONDAY, FEBRUARY 25, 1850.

The Senate met pursuant to adjournment.

The journal of Saturday was read.

Mr. Berry, from the committee on Engrossed Bills, made the following report, to wit:

MR. PRESIDENT—The committee on Enrolled Bills have this day presented to his Excellency, the Governor, for his approval and signature, bills of the following titles, to wit:

An act for the relief of the State Commissioner;

An act to establish common schools in the county of Holmes.

Mr. Beene, from the committee on Engrossed Bills, made the following report, to wit:

MR. PRESIDENT—The committee on Engrossed Bills have examined bills of the following titles, to wit:

A bill to be entitled an act amendatory of the law in relation to the condemnation of timber for building and repairing bridges and causeways;

A bill to be entitled an act to amend an act to incorporate the Canton and Jackson Railroad Company, approved February 1st, 1841, and passed February 7th, 1848;

And have found the same correctly engrossed.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

MR. PRESIDENT—The House of Representatives have passed bills of the following titles:

A bill to be entitled an act regulating the rate of license to sell vinous and spiritous liquors in the town of Monticello, in the county of Lawrence, and for other purposes;

A bill to be entitled an act to submit to the legal voters living within the corporate limits of the the town of Greensboro', in Choctaw county, the question whether vinous or spiritous liquors shall be retailed within the same, and for other purposes;

A bill to be entitled an act to incorporate the Salem High School Association, in the county of Greene;

A bill to be entitled an act to protect the Common School and Three per cent. Funds in the State of Mississippi;

A bill to be entitled an act to authorize the trustees of the Hernanpo Female Academy to make a transfer of said institution;

A bill to be entitled an act to incorporate the Gulf and Ship Island Railroad Company;

A bill to be entitled an act to authorize the Auditor of Public Accounts to settle the claim of Robert Josselyn for printing done for the State of Mississippi during the years 1842 and 1843;

A bill to be entitled an act to incorporate the fire department of the town of Columbus, Mississippi;

A bill to be entitled an act for the relief of Adam C. Snider;

A bill to be entitled an act to increase the regular term of the probate court in the connty of Jones;

A bill to be entitled an act to regulate the practice of the probate courts in the counties of Rankin, Leake, Neshoba, Jones, Smith, Newton, Franklin, Tishemingo, Wayne, Tippah and Attala;

A bill to be entitled an act to amend an act entitled an act to establish a system of common schools, and for other purposes, approved March 4th, 1846, so far as the same relates to the county of Simpson;

A bill to be entitled an act to incorporate the town of Westville, in Simpson county;

A bill to be entitled an act to amend an act entitled an act to extend the corporate limits of the town of Columbus, and for other purposes, approved 27th February, 1836;

A bill to be entitled an act to change the name of Rogetta Victoria Roberts to Rogetta Victoria Davis;

A bill to be entitled an act to change the name of Thomas Jesse Sandefer, and for other purposes;

A bill to be entitled an act to extend to the counties of Monroe and Rankin the provisions of an act entitled an act to repeal an act to establish a system of common schools, and for other purposes, approved March 4th, 1846, so far as the same relates to the counties of Noxubee, Lowndes, Yalobusha, Winston, Covington, Jefferson, Neshoba, Scott, Newton, Madison, Bolivar, Carroll, Sunflower, Tallahatchie, Claiborne and Kemper, approved March 4th, 1848;

A bill to be entitled an act to locate, permanently, the seat of justice of Monroe county;

A bill to be entitled an act to incorporate the Memphis and Charleston Railroad Company;

A bill to be entitled an act to change the name of Richard Van Buren Holland;

A bill to be entitled an act to change the time of holding the probate court of Neshoba county;

A bill to be entitled an act to amend an act entitled an act to incorporate the Mobile and Ohio Railroad Company;

A bill to be entitled an act to change the name of James Owens to that of Robert Barnes;

In all of which I am instructed to desire the concurrence of the Senate.

The House of Representatives have passed a Senate bill to be

entitled an act to authorize John O. Hudson to make a turnpike road in the county of Tunica, and have made an amendment thereto;

In which I am instructed to desire the concurrence of the Senate.

The House of Representatives have given leave to the introduction of bills with the following titles:

A bill to be entitled an act to form fractional township number twelve, of range two east, and fractional township number thirteen, of range two east, in Claiborne county, into one school district, and for other purposes;

A bill to be entitled an act to amend act concerning coroners, passed June 13th, 1822;

A bill to be entitled an act to reorganize the fourth judicial district of the State of Mississippi;

A bill to be entitled an act for the relief of Isaac Chrisman;

A bill to be entitled an act to amend an act entitled an act to establish an Inferior Court of Chancery in the northern portion of of this State, approved February 26th, 1842;

A bill to be entitled an act to attach Monroe county to the Vice Chancery Court District, held at Columbus;

A bill to be entitled an act to amend an act to incorporate the Holly Springs Railroad Company, approved February, 1848;

A bill to be entitled an act to amend an act entitled an act to incorporate the town of Decatur, in the county of Newton;

A bill to be entitled an act for the benefit of Macon Female Institute, the Male Academy, and for the promotion of education;

A bill to be entitled an act in relation to the sixteenth section in Noxubee and Coahoma counties;

A bill to be entitled an act to incorporate Evergreen Lodge, No. 39, in the town of Canton;

A bill to be entitled an act to protect the citizens residing in the counties in which the State and school lands are located, from imposition.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

Mr. President—The House of Representatives have passed a Senate bill with the following title;

A bill to be entitled an act to amend and reduce into one the several acts in relation to the revenue of this State, and for other purposes, approved March 5th, 1846;

And have passed House bills with the following titles:

A bill to be entitled an act to amend the attachment law, and for other purposes;

A bill to be entitled an act in relation to appeals and writs of error;

In which I am instructed to desire the concurrence of the Senate.

The Speaker of the House has signed an act to provide for the education of the poor children in the county of Lawrence;

Which I am instructed to present to the Senate for the signature of the President.

The President signed the bills therein named.

The following message was received from his Excellency the Governor, through his Private Secretary, Mr. McDonald, to wit:

MR. PRESIDENT—I am instructed by his Excellency, the Governor, to inform the Senate that he has approved and signed bills of the following titles, to wit:

An act to change the time of holding the probate court of Washington county, and for other purposes;

An act to incorporate Pearl River Female Academy, in township seven, range two east, in Madison county.

Also, a message in writing, as follows, to wit:

TO THE SENATE:

I return, without my approval, a bill to be entitled an act for the relief of the minor heirs of Solomon R. Vickers, deceased, with the following objections:

That the bill would release the securities of the guardian from all responsibility for the proceeds of their property, and distribution of the same, after its removal, without substituting any other protection over their interests.

This act may not be a violation of vested rights, but it would certainly conflict with the great duty of all sovereignties, to guard and protect the property of those who are incapacitated from taking care of their own interest.

J. A. QUITMAN.

EXECUTIVE CHAMBER,
Jackson, 23d February, 1850.

Which was laid on the table.

On motion of Mr. Drane, the Secretary of the Senate was instructed to recall from his Excellency, the Governor, a bill to be entitled an act to incorporate the town of Bankston, in the county of Choctaw, which has passed both Houses of the Legislature and been sent to the Governor for his approval and signature, for the purpose of amending the same.

Mr. Stewart asked and obtained leave to introduce a bill to be entitled an act for the benefit of John B. Nevitt, of Adams county; which was read the first time.

On motion of Mr. Stewart, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Stewart, the rule was further suspended, the bill considered as engrossed, read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Brooke, from a select committee, made the following report, to wit:

MR. PRESIDENT—The select committee to whom was referred the memorial of the Secretary of State in reference to a claim of T. N. Martin, for printing the advertisements of the Chickasaw school lands, have had the same under consideration, and have instructed me to report the same, and the bill accompanying it, with the following amendment to the bill, and recommend the passage of the bill as amended.

Strike out of section first the words "one hundred and thirty-four dollars," and insert "sixty-four dollars and eighty cents;" which was read, and, on motion of Mr. Brooke, was received and agreed to; and the bill therein reported, to be entitled an an act to authorize the Auditor and Treasurer to pay for advertising the Chickasaw school lands, was read the third time.

Mr. Greer offered the following amendment, by way of ryder, to wit:

Section 2. *Be it further enacted*, That the said sum of sixty-five dollars and eighty cents shall be in full pay of all the claim which said T. N. Martin has against the State for advertising the said Chickasaw schoel lands.

Which was adopted; and the bill, as amended, put upon its passage and passed.

Ordered, That the title thereof be as stated.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

MR. PRESIDENT—The Speaker of the House of Representatives has signed an act for the relief of the widow Lomax Commack;

Which I am instructed to present to the Senate for the signature of the President.

The House of Representatives have passed a bill supplemental to an act to secure to the owners of slaves executed by sentence of law compensation for the same, passed February 18th, 1846;

In which I am instructed to desire the concurrence of the Senate.

Mr. Catching presented the claim of William H. Hally, William M. Kelly and J. H. Norton; which, on motion of Mr. Catching, was referred to the Committee on Claims.

The Senate proceeded to the consideration of the orders of the day, and resolved itself into committee of the whole on a bill to be entitled an act to confirm to Samuel H. King the privileges granted to him by the board of police in Tippah county, on the 11th day of April, 1848, Mr. Drane in the chair; and, after some time spent therein, the committee rose, and Mr. Drane reported said bill back to the Senate, with the following amendments, and recommended its passage, to wit:

Amend by striking out the second section.

Strike out the proviso in the third section.

On motion of Mr. Drane, the report was received and agreed to.

On motion of Mr. Berry, the rule was suspended, the amend-

ments considered as engrossed, the bill read the third time, as amended, and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to legalize the lease of certain school lands therein mentioned, was read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to change the name of Aberdeen Female Academy, and for other purposes, was read the first time.

On motion of Mr. Thompson, the rule was suspended and the bill read the second time by title.

On the further motion of Mr. Thompson, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to remove the county seat of Coahomo county, was read the first time.

A bill to be entitled an act to amend an act entitled an act to incorporate the town of Pass Christian, passed 24th day of February, 1848, was read the first time.

On motion of Mr. Ramsay, the rule was suspended and the bill read the second time by title.

On the further motion of Mr. Ramsay, said bill was referred to a select committee of three.

Messrs. Ramsay, McDugald and McAfee were appointed said committee.

On motion of Mr. Brooke, the message from his Excellency, the Governor, vetoing a bill to be entitled an act for the benefit of the minor heirs of Solomon R. Vickers, deceased, was taken up and read; and the question being taken—Shall this bill pass, notwithstanding the Executive veto? it was decided in the negative.

The ayes and nays thereon are as follows, to wit:

AYES—None.

NAYS—Mr. President, Messrs. Brooke, Bell, Berry, Beene, Catching, Carter, Davis, Greer, Guion, Hodges, Hughes, Kennedy, McDugald, McAfee, Pettus, Ramsay, Reynolds, Stone, Stewart, Torrey, Thompson and White—23.

The Senate again resumed the consideration of the orders of the day;

A resolution and memorial to establish a light-house on the sea-coast of the State of Mississippi; which was read the first time.

A memorial of the Legislature of the State of Mississippi to the Congress of the United States, praying a change in the system of transporting the mail, and establishment of stage routes in this State, was read the first time.

A memorial to the Congress of the United States relative to a stage route from Jackson to Baton Rouge, was read the first time.

A memorial to Congress to open Pass Manshac, was read the first time.

On motion of Mr. Stone, the rule was suspended and the resolution read the second time by title.

Mr. Stone moved that the rule be further suspended, the memorial be read the third time and put upon its passage; which was lost.

A bill to be entitled an act to approve and confirm the provisions of the last will and testament of Col. James Y. Grienstead, deceased, in relation to woman Mary and her children, was read the third time and lost.

A bill to be entitled an act to reduce the rate of license to retail vinous and and spiritous liquors in certain counties therein named, was read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act requiring the judges of the circuit courts in this State to alternate circuits, was read the third time.

On motion of Mr. Thompson, said bill was referred to the Judiciary Committee.

A joint resolution for the election of an assistant keeper of the penitentiary, was read the second time.

On motion of Mr. Guion, said resolution was laid on the table.

A bill to be entitled an act for the benefit of L. L. Bridges, sheriff of Coahomo county, was read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to provide for the purchase of additional machinery for the manufacture of cotton and wool in the penitentiary, and for other purposes, was taken up.

Mr. Bell moved that the Senate resolve itself into committee of the whole on said bill, forthwith; which motion was lost.

On motion of Mr. Guion, said bill was read the third time and passed.

Mr. Carter called for the ayes and nays thereon, which are as follows, to wit:

AYES—Mr. President, Messrs. Brooke, Bell, Berry, Beene, Cannon, Drane, Golladay, Gilleland, Greer, Guion, Hodges, Hughes, Pettus, Ramsay, Reynolds, Stone, Stewart, Sharkey, Torrey, Taliaferro, Thompson and White—23.

NAYS—Messrs. Alcorn, Catching, Carter, Davis, Kennedy, McDugald and McAfee—7.

Ordered, That the title thereof be as stated.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

MR. PRESIDENT—The House of Representatives have passed bills with the following titles:

A bill to be entitled an act to regulate the appointment of overseers of roads in the county of Panola;

A bill to be entitled an act for the relief of Hon. Reuben Bullock, judge of probate of Adams county, and others;

A bill to be entitled an act to repeal the fifth section of an act ap-

proved March 1st, 1848, entitled an act requiring the treasurers of Pontotoc and Lafayette counties to loan the school fund of said counties;

A bill to be entitled an act to incorporate the town of New Albany, in the county of Pontotoc;

A bill to be entitled an act to allow the sale of spiritous liquors, without license, for certain purposes;

A bill to be entitled on act in relation to coroners' inquests;

A bill to be entitled an act to declare Chippewa creek a navigable stream;

A bill to be entitled an act to amend an act entitled an act to incorporate the town of Holmesville, passed January 24th, 1820;

In which I am instructed to desire the concurrence of the Senate.

The Senate again resumed the consideration of the orders of the day:

A bill to be entitled an act for the benefit of Mary Davis, widow of John R. Davis, deceased, was read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to amend an act for the relief of John Patterson, approved January 22d, 1849, was read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act for the relief of Joel Pinson and others, was read the second time.

On motion of Mr. Bell, said bill was ordered to be engrossed for a third reading on to-morrow.

A bill to be entitled an act to prohibit the sale of brandy, rum, gin and whisky, within four miles of the court house of Harrison county, located in Mississippi city, in said county, was read the second time.

On motion of Ramsay, said bill was ordered to be engrossed for a third reading on to-morrow.

A bill to be entitled an act to amend an act entitled an act to incorporate the town of Kosciusko, in the county of Attala, was read the first time.

On motion of Mr. Gilleland, the rule was suspended and the bill read the second time by title.

On the further motion of Mr. Gilleland, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to incorporate Eudocia Female College, in the town of Black Hawk, Carroll county, was read the first time.

On motion of Mr. Kennedy, the rule was suspended and the bill read the second time by title.

On the further motion of Mr. Kennedy, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to levy a tax on all the State lands lying in the county of Bolivar, and the lands owned by the State in the counties of Washington and Issaquena, for the purpose of constructing a levee on the Mississippi river in said county of Bolivar, was read the first time

On motion of Mr. White, the rule was suspended and the bill read the second time by title.

Mr. White moved that the rule be further suspended, the bill be read the third time and put upon its passage; which motion was lost.

On motion of Mr. Bell, said bill was referred to a committee of the whole house, and made the special order of the day for Wednesday next, at 12 o'clock, M.

Mr. White moved that the Senate adjourn until 10 o'clock to-morrow morning; which was lost.

Mr. Carter moved that the Senate take a recess until half-past three o'clock this evening; which was lost.

On motion of Mr. Brooke, the Senate adjourned until to-morrow morning, 10 o'clock.

TUESDAY. FEBRUARY 26, 1850.

The Senate met pursuant to adjournment.

The journal of yesterday was read.

Mr. Beene, from the committee on Engrossed Bills, made the following report, to wit:

MR. PRESIDENT—The committee on Engrossed Bills have examined bills of the following titles, to wit:

A bill to be entitled an act to prohibit the sale of ardent spirits, such as brandy, rum, gin or whisky, within four miles of the court-house of Harrison county, located in Mississippi city;

A bill to be entitled an act for the relief of Joel Pinson and others;

And have found the same correctly engrossed.

Mr. Brooke asked and obtained leave to offer the following resolution, to wit:

Resolved, That hereafter the Senate will hold an afternoon session, commencing at 3 o'clock, P. M.

Which was read, and the vote being taken thereon, it was lost.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

MR. PRESIDENT—The House of Representatives have passed bills of the following titles:

A bill to be entitled an act to repeal an act passed in 1846,

abolishing the office of assessor, and making the sheriff ex-officio assessor;

A bill to be entitled an act repealing the act of the Legislature of Mississippi, approved January 30th, 1839, also, an act approved January 19th, 1844, declaring Strong river a navigable stream;

A bill to be entitled an act to legalise the sale of sixteenth sections in the county of Smith, and for other purposes;

A bill to be entitled an act to amend an act reducing the the fees of certain officers therein named, approved February 20th, 1844, so far as relates to the counties of Covington, Wayne, Jones, Greene, Jackson, Clark, Hancock, Perry, Marion, Washington, Adams, Jefferson and Pike;

A bill to be entitled an act to establish a system of common schools in the county of Scott; and

A resolution of the Legislature of the State of Mississippi, authorising the Governor to employ an agent to investigate certain claims therein mentioned; also,

A bill to be entitled an act to amend an act entitled an act to legalise the public roads in Coahoma county;

A bill to be entitled an act to tax all persons trading and retailing merchandise on flat boats, or other water crafts, on the Mississippi river, within the limits of the county of Tunica;

A bill to be entitled an act supplemental to an act entitled an act to amend an act entitled an act to incorporate the Deer creek Railroad company, approved February 8th, 1850;

A bill to be entitled an act for making ditches in Washington county;

A bill to be entitled an act to establish a system of common schools, and regulate the leasing of school sections in Washington county;

A bill to be entitled an act to amend an act incorporating the city of Vicksburg, approved February 15th, 1839, and of the several acts in relation thereto;

A bill to be entitled an act to compel persons taking up runaway slaves to deliver them to their owners, if nearer their residence than the county jail of the county in which such slaves are captured;

A bill to be entitled an act to repeal the levee laws of Warren county, so far as the same are now in force south of the city of Vicksburg to the southern boundary of said county, on the Mississippi river;

A bill to be entitled an act to amend an act to provide for and establish common schools in the county of Hinds, Holmes, Tunica, Jefferson, Wilkinson, Lawrence and Amite;

A bill to be entitled an act for the benefit of the sheriff of Hinds county, and for other purposes;

A bill to be entitled an act to legalise the transcribing of the re-

cords of the Circuit court of Yalobusha county, for May term, 1848, and for other purposes;

A bill to be entitled an act to incorporate the Grenada Mutual Insurance company;

A bill to be entitled an act to incorporate Yalobusha Manufacturing company;

A bill to be entitled an act relative to the minutes of the Probate court the county of Claiborne;

A bill to be entitled an act to authorise the treasurer of Yalobusha county to loan the school fund, and for other purposes;

A bill to be entitled an act to detach from the county of Washington, and add to the county of Yazoo a portion of the former county;

A bill to be entitled an act to authorise the State Commissioner to sell the lands belonging to the seminary, lying within the different counties of the State;

A bill to be entitled an act supplementary to an act entitled an act to establish common schools in Holmes county;

A bill to be entitled an act for the relief of the heirs of Richard Ross, deceased;

In all of which, I am instructed to desire the concurrence of the Senate.

The House of Representatives have passed a Senate bill entitled an act to amend an act entitled an act to establish and incorporate the town of Yazoo city, approved 3d of March, 1846; and have made amendments thereto, in which I am instructed to desire the concurrence of the Senate.

And have concurred in the Senate resolution fixing upon the 5th of March next, for the two Houses to adjourn *sine die;* and have made the following amendment thereto: "Strike out the 5th, and insert the 9th.

In which I am instructed to desire the concurrence of the Senate.

The House of Representatives have given leave to the introduction of bills with the following titles:

A bill to be entitled an act to reduce the State taxes.

A bill to be entitled an act to amend an act concerning strays, passed June 25th, 1822;

A bill to be entitled an act to amend the several laws of this State in relation to runaway slaves;

A bill to be entitled an act for the relief of George W. G. Thompson, a minor, of Leake county;

A bill to be entitled an act to distribute the revenue of the State, and for other purposes;

A bill to be entitled an act to require an interchange of circuits among the judges of this State;

A bill to be entitled an act in relation to the competency of jurors;

A bill to be entitled an act to incorporate the Tallahatchie and Mississippi Railroad company;

A bill to be entitled an act relative to notice and transferable demands;

A bill to be entitled an act for the relief of Abner Hope, of Pike county;

A bill to he entitled an act for the purchase of certain books;

A bill to be entitled an act to incorporate the Scott county Charcoal company;

A bill to be entitled an act to dispense with the technicalities of the medical profession, and for other purposes;

A bill to be entitled an act to repeal an act entitled an act to amend and alter the militia laws of this State, approved March 4th, 1848;

A bill to be entitled an act concerning the Hatchie Turnpike company, in the county of Tippah;

A bill to be entitled an act to amend the mechanics lien law;

A bill to be entitled an act providing for the election of additional members of Congress, and for other purposes;

A bill to be entitled an act to repeal so much of the 4th section of an act approved February 23, 1848, entitled an act to provide for the sale of the 500,000 acres of land, donated to the State of Mississippi by the Congress of the United States for the purposes of internal improvement, as authorised the Treasurer to receive bonds issued and sold on account of the Planters' Bank, and coupons of interest on the same, in payment for said lands, and for other purposes;

A bill to be entitled an act to increase the duties and powers of constables in the town of Eastport, in the county of Tishemingo;

A bill to be entitled an act to amend the several acts concerning strays;

A bill to be entitled an act to locate permanently the seat of government, and for other purposes;

A bill to be entitled an act for the benefit of Probate clerks in this State;

A bill to be entitled an act for the benefit of jurors and witnesses, summoned upon inquests;

A bill to be entitled an act further to extend the remedy by attachment;

A bill to be entitled an act for the relief of Simeon L. George;

A bill to be entitled an act for the relief of Samuel Garven;

A bill to be entitled an act to incorporate the Southern Railroad company;

A bill to be entitled an act to extend the provisions of an act entitled an act to establish and secure a ferry across the Mississippi river at Vicksburg;

A bill to be entitled an act extending an act entitled an act relating to the wharf landing in the city of Vicksburg;

A bill to be entitled an act to remove obstructions from the navigable streams in the counties of Warren and Issaquena;

A bill to be entitled an act to authorise the citizens of this State, to remove improvements made by them upon false surveys of land made by the county surveyors;

A bill to be entitled an act to amend the road laws of this State, and for other purposes;

A bill to be entitled an act allowing parties to contract in writing for the payment of money to fix the rate of interest;

A bill to be entitled an act to ascertain more fully the wealth and resources of this State;

A bill to be entitled an act amending the several acts incorporating the town of Panola, and for other purposes.

Mr. Beene, from the committee on the Judiciary, made the following report, to wit:

Mr. President—The committee on the Judiciary, to whom was referred a bill to be entitled an act to authorise the judges of the High Court of Errors and Appeals to meet at Oxfod, and hear the argument of counsel, have had the same under consideration, have adopted amendments thereto, and have instructed me to report said bil and amendments, and recommend the adoption of said amendments, and ask to be discharged from the further consideration of said bill; which amendments are as follows, to wit: Amend by adding to the first section the following: *Provided*, That no case, to which the State of Mississippi is a party, shall be so heard by said judges. Amend section first by striking out the words, "the first Monday in July," in the fith line, and inserting the words, "the third Monday in June."

Which was read, and, on motion of Mr. Beene, was received and agreed to.

On the further motion of Mr. Beene, said amendments were adopted, and the bill as amended, ordered to be engrossed for a third reading on to-morrow.

Mr. Brooke, from the Judiciary committee, made the following report, viz:

Mr. President—The Judiciary committee, to whom was referred the accompanying bills, have the same under consideration, and have instructed me to report the same back to the Senate without amendment, and ask to be discharged therefrom, to wit:

A bill to be entitled an act to limit the liens of judgments in this State;

A bill to be entitled an act to amend the third section of an act entitled an act further to amend the several laws of the State in relation to courts of Probate;

A bill to be entitled an act in relation to suits against infants under the age of fourteen years;

A bill to be entitled an act to amend the laws relating to the

estates of decedents and executors, administrators and guardians, and for other purposes;

A bill to be entitled an act to provide for the appointment, in certain cases of guardians for minor children, whose father is living;

A bill to be entitled an act to regulate appeals, or writs of error, from the Probate courts of this State, when taken or prosecuted by executors or administrators;

A bill to be entitled an act to regulate the practice in the Circuit courts of this State, in relation to suits by attachment;

A bill to be entitled an act to amend the laws in relation to crimes and misdemeanors;

Which report was read, and, on motion of Mr. Brooke, was received and agreed to.

Mr. Guion from the joint select committee of State and Federal Relations, made the following report, to wit:

Mr. President—The joint select committee on Federal and State Relations, to whom was referred the special message of the Governor, with the letter of our Senators and Representatives in Congress, on the subject of the admission of California into the Union as a State, have had the same under consideration, and have instructed me to report the following resolutions, and recommend their adoption:

Resolved, That the expositions and views expressed by the convention of the people of Mississippi assembled in convention on the first Monday of October last, and in the address of their convention, merit and receive our hearty approbation and commendation.

Resolved, That it was the duty of the last, as it is the duty of the present Congress of the United States, to provide territorial governments for California and the other territories acquired from Mexico—all the citizens of the United States residing in or removing to said territories, the guaranties of the constitution for the protection of their civil and political rights, as recognized by its provisions.

Resolved, That the exercise by the government of the United States of a silent and passive jurisdiction over the territory of California, in consequence of the failure by Congress to provide laws for the government of said territory, and for the equal and indiscriminate protection of all the citizens of the United States removing to said territory with their property, is in the highest degree unjust towards the people of the slaveholding States, by deterring them from going to said territory with their slaves, and is calculated and intended to deprive them of an equal participation in the common property of the people of all the States.

Resolved, That the policy heretofore pursued by the government of the United States in regard to said territory, in refusing to provide territorial government therefor, has been, and is, eminently calculated to promote, and is about to effect, indirectly, the cher-

ished object of the abolitionists, which cannot be accomplished by direct legislation, without a plain and palpable violation of the constitution of the United States.

Resolved, That the admission of California into the Union as a sovereign State, with its present constitution, the result of the aforesaid false and unjust policy on the part of the Government of the United States, would be an act of fraud and oppression on the rights of the people of the slave-holding States, and it is the sense of this Legislature that our Senators and Representatives should, to the extent of their ability, resist it by all honorable and constitutional means.

Resolved, That while we admit the unlimited right of the citizens of any territory in framing a State constitution, to engraft upon it any principles whatever, provided the form of government is republican, and in nothing conflicts with the constitution of the United States, and deny the right ofCongress to reject a State applying for admission into the Union, because its constitution either tolerates or rejects the institution of slavery; yet in the case of California now applying for admission, if our Senators and Representatives shall be satisfied, from reliable evidence, that fraud has been practised, or improper influences used to stifle a full and fair expression of opinion by the citizens of California, in reference to the formation of their State constitution, they ought to oppose her admission for hat reason also.

Resolved, That we refer the subject of the admission of California into the Union, and the circumstances and course of policy which have induced its population, so hastily, and in such an unprecedented manner to apply for admission, to the convention of Southern States, proposed to be assembled at Nashville, on the first Monday in June next, to be considered with other causes of complaint against the people of the non-slaveholding States; and, in the mean time, we recommend to our Senators and Representatives in Congress to remain at their posts, and resist all further aggression on our rights.

Resolved, That his Excellency the Governor, be requested to forward to each of our Senators and Representatives in Congress a copy of these resolutions.

Which was read;

Mr. Guion moved, that the report be received and agreed to.

Mr. Sharkey called for a division of the question.

The vote was first taken on receiving said report; which was decided in the affirmative.

The vote was next taken on agreeing to said report; which was decided in the affirmative, and the resolutions therein reported were read the first time.

On motion of Mr. Guion, the rule was suspended, and the resolutions read the second time forthwith.

On motion of Mr. Brooke, the further consideration of said resolution was postponed until 11 o'clock, A. M., on to-morrow.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to-wit:

MR. PRESIDENT—The Speaker of the House of Representatives has signed bills of the following titles, viz:

An act to change the name of the Aberdeen Female Academy, and for other purposes;

An act for the relief of Jefferson J. Hughes;

An act to legalise the lease of certain school lands therein mentioned;

An act to amend an act entitled an an act to amend and reduce into one the several acts in relation to the revenue of this State, and for other purposes, approved 5th March, 1846;

Which I am instructed to present to the Senate for the signature of the President.

The President signed the bills therein named.

Mr. Catching, from the committee on Public Buildings, made the following report, to wit:

The committee on Public Buildings have the honor to submit the following report, viz: That they have examined the State Capitol, and found the same in two respects requiring immediate repairs. From the examination that they have made, they are of opinion, that to preserve the walls of the interior of the building, an entire new roof is indispensably necessary. Your committee were not willing to rely on their own judgment in regard to the best, and at the same time the cheapest material; they, therefore, had recourse to a mechanic of experience in such matters, who aided them in the prosecution of the examination. The material recommended for re-covering is the best cross leaded tin plate—the same to be coated with two paintings after it is put on. Your committee would further report, that the window frames and sash are fast going to decay for want of the necessary repairs, to wit: re-painting and glazing. The estimated cost for repairs of the first importance to the protection of the buildings, is as follows:

200 squares of roof covered with the best cross leaded tin plate, at $5 per square	$1,000 00
500 feet of copper gutter worked with new joints and relaid at 37½ cents per foot	187 00
200 squares painted roof and gutters, at $1 50	300 00
Painting back cornice	100 00
For reglazing the windows on the outside, and painting 97 windows at $3 each	291 00
For painting nine doors	36 00

The above estimates are deemed absolutely necessary to protect the State Capitol from decay; and for providing the means to make said repairs, the committee have instructed me to report the

following bill; which was read, and, on motion of Mr. Catching, was received and agreed to, and the bill therein reported, to be entitled an act for repairing the State Capitol, was read the first time.

On motion of Mr. Catching, the rule was suspended, and the bill read a second time by title.

On motion of Mr. Bell, the rule was further suspended, the bill considered as engrossed, read the third time and passed.

Ordered, That the title thereof be as stated.

Mr Pettus presented the claim of Joseph D. Eads, which, on motion of Mr. Pettus, was referred to the committee on Claims.

Mr. Berry, from the committee on Enrolled Bills, made the following report, to wit:

MR. PRESIDENT—The joint standing committee on Enrolled Bills, have this day deposited in the office of the Secretary of State, without the signature of the Governor, bills of the following titles, which bills have become laws under the constitution, viz:

An act to change the name of James Vance;

An act for the benefit of William Henry and John Anderson Derald;

An act for the benfit of Oscar Glenalvin Wadsworth of Simpson county.

Mr. Berry, from the committee on Enrolled Bills, made the following report, to-wit:

MR. PRESIDENT—The joint standing committee on Enrolled Bills, have this day examined bills of the following titles, to-wit:

An act to change the name of the Aberdeen Female Academy, and for other purposes;

An act for the relief of Jefferson J. Hughes;

An act to legalise the lease of certain school lands therein named.

An act to amend an act entitled an act to amend and reduce into one the several acts in relation to the revenue of this State, and for other purposes, approved March 5th, 1846;

And have found the same correctly enrolled.

Mr. Berry, from the committee on Enrolled Bills, made the following report, viz:

MR. PRESIDENT—The joint standing committee on Enrolled Bills, have this day presented to his Excellency the Governor, for his approval and signature, bills of the following titles, viz:

An act to provide for the education of the poor children in the county of Lawrence;

An act for the relief of the widow of Lomax Commack.

The President presented to the Senate the following communication from his Excellency the Governor, to wit:

TO THE SENATE:

In reply to the communication from the Senate, of this date, re

questing me to return to that body a bill to incorporate the town of Bankston, in the county of Choctaw, I have the honor to state, that the bill of that title has been approved and reported by me, some days since, and is now filed as a law in the office of the Secretary of State, and, consequently, not within my control. I am, therefore, unable to comply with the request of the Senate.

J. A. QUITMAN.

EXECUTIVE CHAMBER,
Jackson, February 25, 1850.

Which was read, and laid on the table.

Mr. Berry presented the claim of O. P. Casey; which, on motion of Mr. Berry, was referred to the Committee on Claims.

Mr. Catching presented the petition of J. McDonald; which, on motion of Mr. Catching, was referred to the committee on Propositions and Grievances.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

MR. PRESIDENT—The House of Representatives have passed a bill to be entitled an act further to regulate the office of the Treasury of the State of Mississippi, and for other purposes;

In which I am instructed to desire the concurrence of the Senate.

Mr. Pettus presented the petition of B. B. Kirkland, former sheriff of Neshoba county; which, on motion of Mr. Pettus, was referred to the Committee on Claims.

Mr. Pettus presented the claim of D. J. Johnson and William B. Mann, of Leake county; which, on motion of Mr. Pettus, was referred to the Committee on Claims.

Mr. Guion presented the claim of William Wing; which, on motion of Mr. Guion, was referred to the Committee on Claims.

The Senate proceeded to the consideration of the orders of the day, and took up a bill to be entitled an act to authorize the State of Mississippi to subscribe for stock in the Mobile and Ohio Railroad Company, and for other purposes; the consideration of which was, on motion of Mr. Berry, postponed until Thursday next, at 12 o'clock, M., in committee of the whole.

A memorial to Congress to open Pass Manshac, was read the third time and lost.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

MR. PRESIDENT—The House of Representatives have passed a bill to be entitled an act to authorize the boards of police in the counties of Issaquena and Tallahatchie to assign hands to work on navigable streams;

A bill to be entitled an act to amend an act entitled an act to extend the railroad beyond Jackson;

In which I am instructed to desire the concurrence of the Senate.

The House of Representatives have passed the Senate memorial

to Congress to grant land, and to make mail contracts, and contracts for military transportation, in aid of the railroad communication between Washington City and the Mississippi river, at Vicksburg.

The Senate again resumed the consideration of the orders of the day:

A bill to be entitled an act to remove the county seat of Coahoma county, was read the second time.

On motion of Mr. Reynolds, the rule was suspended and the bill read the third time; and the question being taken on the passage of said bill, it was lost.

Mr. Torrey, from the joint standing committee on Accounts, made the following report, to wit:

MR. PRESIDENT—The joint standing committee on Accounts, who were charged with the examination of the Treasurer's Office, have discharged the duties assigned them, and have instructed me to

REPORT:

That your committee have examined the pay and receipt warrants, vouchers and papers, of Treasurer Griffith, compared the same with his entries upon the office journal, and found them to correspond precisely for the years 1848 and 1849.

Your committee ascertained that the pay warrants had been registered and placed upon the disbursement book of the Treasurer, according to law. All of said vouchers, up to January 1850, were cancelled by your committee.

Your committee examined and verified the additions of both the debit and credit accounts in the journal; compared the same with correspoding entries in the ledger; added up departments in the latter, and found all to correspond entirely with the report of the Treasurer.

Your committee counted the cash in the Treasury, and found, at the close of their examination, on the 9th instant, that the sum on hand in gold and silver coin and United States Treasury notes, was four hundred and fifteen thousand five hundred and eighty-eight dollars and seventy-five cents. A more detailed account of which, with the receipts and disbursements of the Treasury since the date of the Treasurer's report, is given in statement A, accompanying this report.

From said statement, it appears that the sum in the Treasury exceeds the sum for which the Treasurer is liable by the amount of four hundred and four dollars and ninety-six cents. How this excess has been accumulated, it is impossible for your committee to say. It is possible that, in the vast number of receptacles of coin in the Treasury vault, your committee may have counted some small sum twice.

Your committee find the amount of unavailable funds in the

Treasury, consisting chiefly of certificates of stock in the Mississippi Railroad company, and in the notes of broken banks, to be two million three hundred and two thousand eight hundred and forty-nine dollars and eighty-three cents. In the opinion of your committee, very little will ever be realised from these funds. A detailed statement of the same accompanies this report, and is marked statement B.

Your committee cheerfully bear testimony to the efficient and admirable manner in which the duties of the office are discharged by the present Treasurer. The books are kept with the utmost neatness and accuracy; and, while the entries are so full and implicit as to exhibit each transaction in a way to be comprehended by every examiner, the system embraces all that is valuable for brevity and certainty, in the most scientific modern book-keeping.

Your committee are of opinion that further legislation is necessary for the proper regulation of the department, for facilitating its operations, and for the convenience of and in justice to the Treasurer. The proposed legislation embraces the following objects:

1. The providing a seal for the Treasury.
2. Establishing office hours for the department.
3. Destroying the bonds issued on account of the Union Bank, amounting to ten million dollars, but which have been cancelled, and remain as useless lumber in the Treasury vault.
4. Providing for the purchase of money boxes for the Treasury.

These objects are all embraced in a bill to be entitled "an act further to regulate the office of the Treasury of the State of Mississippi, and for other purposes," which accompanies this report; the passage of which, your committee earnestly recommend.

All of which is respectfully submitted.

STATEMENT A.

Showing the amount of funds in the Treasury in gold and silver coin, and United States Treasury Notes, on the 9th day of February, A. D. 1850.

Amount in the Treasury, February 9th, 1850, as counted by the committee.....		$415,588 75
Amount disbursed since January 1st, 1850, as per vouchers exhibited to committee.....		36,616 78
		$ 452,205 53
Amount in the Treasury January 1st, 1850, as per Treasurer's report.....	$ 438,667 12	
Amount received from January 1st, 1850, to February 9th, 1850....	5,977 65	
Amount of Two and Three per cent. Funds, interest not calculated....	7,155 80	
		451,800 57
Surplus over Treasurer's liabilities.....		404 96

STATEMENT B.

Exhibiting the amount and description of unavailable funds in the Treasury, on the 9th day of February, A. D. 1850.

Certificates of stock in the Mississippi Railroad Company, dated March 4th, 1839.....		$2,000,000 00
Receipt of Attorney General Collins, for certificate of deposite in the Brandon Bank, dated September 17, 1839.....		229,584 00
Receipt of Attorney General Collins, dated September 17, 1839, for notes of the Banks, and in the amounts following, to-wit:		
Citizens' Bank of Madison county.....	$470 00	
Benton and Manchester Bank.....	170 00	
Lake Washington and Deer Creek Bank.	250 00	
		890 00
Receipts of Attorney General Collins, dated December 19th, 1839, for notes on the Bank of Grenada.....		7,628 00
Receipt of Attorney General Freeman, dated June, 19th, 1848, for note of hand of R. L. Dixon and W. H. Young, drawn November 21, 1838, for.....	$568 33	
Credit July 30, 1842, by.....	70 50	
		497 83
Receipt of L. V. Dixon, dated January 16th, 1849, for notes of the Mississippi Railroad Company, placed in his hands as commissioner, in case of Attorney General *vs.* Mississippi Railroad Company.....		64,005 00
Notes of Mississippi Union Bank.....		110 00
Notes of Misp. and Ala. Railroad Co.....		50 00
Notes of Hernando Railroad and Banking Co....		20 00
Note of Real Estate Banking Co. of Columbus...		5 00
Counterfeit note of City Bank of N. Orleans....		50 00
Note of Citizens' Bank of Madison County.....		10 00
		$2,302,849 83

GEORGE TORREY, Chairman,
On the part of the Senate.

GUS. H. WILCOX, Chairman,
On the part of the House.

Which was read, and, on motion of Mr. Torrey, was received and agreed to.

Mr. Singleton presented the claims of H. I. Reeves, former sheriff of Rankin county, which, on motion of Mr. Singleton, was referred to the committee on Claims.

The Senate again resumed the consideration of the orders of the day.

On motion of Mr. Singleton, a bill to be entitled, an act to amend an act, entitled, an act to incorporate the Canton and Jackson Railroad Company, approved Feb. 1, 1841, and passed Feb. 2, 1848, was called up out of its regular order, and read the third time and passed.

Ordered, That the title thereof be as stated.

A memorial and resolution to establish a Light-house on the sea coast of the State of Mississippi, was read the second time.

On motion of Mr. Gilleland, the rule was suspended, and the memorial read the third time and passed.

Ordered, That the title thereof be as stated.

A memorial of the Legislature of the State of Mississippi to the Congress of the United States, praying a change in the system of transporting the mail, and the establishment of stage routes in this State, was read the second time.

On motion of Mr. Drane, the rule was suspended, and the memorial read the third time and passed.

Ordered, That the title thereof be as stated.

A memorial to the Congress of the United States, relative to a state route from Jackson to Baton Rouge, was read the second time.

On motion of Mr. Davis, the rule was suspended, and the memorial read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act for the suppression of Rondo, and for other purposes, was read the first time.

On motion of Mr. Stewart, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Stewart, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

The Senate resolved itself into committee of the whole, on a bill to be entitled, an act to provide for the payment of the bonds of the State, sold on account of the Planter's Bank, Mr. Bell in the chair; and after some time spent therein, the committee rose, and Mr. Bell reported progress, and asked leave to set again at 3 o'clock this evening.

On the motion of Mr. Bell, the report was received and agreed to.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to-wit:

Mr. President—The House of Representatives have passed a

bill to be entitled, an act to further endow the University of Mississippi.

In which I am instructed to desire the concurrence of the Senate.

A message in writing was received from his Excellency the Governor, through his private secretary, Mr. McDonald, which was laid on the table.

On motion of Mr. Drane, the Senate adjourned until 3 o'clock, this evening.

THREE O'CLOCK, P. M.

The Senate met pursuant to adjournment.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to-wit:

MR. PRESIDENT—The House of Representatives have adopted the report of the joint standing committee on State and Federal Relations, and have made sundry amendments thereto.

In which I am instructed to desire the concurrence of the Senate.

The Senate proceeded to the consideration of the orders of the day, and resolved itself into committee of the whole, on a bill to be entitled, an act to provide for the payment of the bonds of the State, sold on account of the Planter's Bank, Mr. Bell in the chair; and after some time spent therein, the committee rose, and Mr. Bell reported progress, and asked leave to set again on to-morrow at 11 o'clock, A. M.

On motion of Mr. Bell, the report was received and agreed to.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to-wit:

MR. PRESIDENT—The House of Representatives, have passed a bill with the following title, to-wit:

A bill to be entitled, an act to authorize the Auditor of Public Accounts to issue certain warrants therein named.

In which I am instructed to desire the concurrence of the Senate.

The House of Representatives have receded from their amendments made to the Senate bills, entitled, an act to reduce into one the several acts heretofore passed, in relation to 16th sections and common schools, so far as relates to the counties of Hinds, Madison, and Claiborne.

On motion of Mr. Carter, the Senate adjourned until to-morrow morning 10 o'clock.

WEDNESDAY, February 27, 1850.

The Senate met pursuant to adjournment; and was opened with prayer by the Rev. Mr. Graves.

The journal of yesterday was read.

Mr. Cannon presented to the Senate, the following communication, from the Hon. D. Lipscomb, President of the Senate:

Jackson, February 27, 1850.

Senators: I again throw myself upon your kindness; declining health compels me to ask leave of absence for a few days. In the mean time, I leave it with your Honorable body to fill the Chair with any member you may designate.

Respectfully, your ob't serv't,
DABNEY LIPSCOMB.

Which was read.

On motion of Mr. Cannon, the Hon. John I. Guion was unanimously elected President of the Senate, to preside over its deliberations during the temporary absence of the Hon. D. Lipscomb.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to-wit:

Mr. President—The Speaker of the House of Representatives has signed bills of the following titles, to-wit:

An act to amend an act entitled, an act to incorporate the town of Kosciusko, in the county of Attala;

An act to incorporate Eudocia Female College, in the town of Black Hawk, Carroll county;

A resolution to establish a Light-house on the sea coast of the State of Mississippi;

A memorial to the Congress of the United States relating to a stage route from Jackson to Baton Rouge;

A memorial of the Legislature of the State of Mississippi, to the Congress of the United States, praying a change in the system of transporting the mail and the establishment of stage routes in this State;

A memorial to Congress to grant lands, and to make mail contracts and contracts for military transportation, in aid of the railroad communication between Washington City and the Mississippi river, at Vicksburg;

Which I am instructed to present to the Senate for the signature of the President.

The House of Representatives have passed a bill to be entitled, an act to suppress trade and barter with slaves, and for other purposes.

In which I am instructed to desire the concurrence of the Senate.

The President signed the bills therein named.

Mr. Stone presented the petition of Major Newton, of Lawrence county, which was read, and, on motion of Mr. Stone, was referred to the committee on Public Buildings.

Mr. Reynolds asked and obtained leave to introduce a memorial to be entitled a memorial of the Legislature of the State of Mississippi to the Congress of the United States, which was read the first time.

Mr. Tait presented the petition of S. W. White and divers other citizens of Desoto county, which was read, and accompanied said petition with a bill to be entitled an act to authorize A. A. McKenzie to hawk and peddle in the county of Desoto, which was read the first time.

On motion of Mr. Tait, the rule was suspended, and the bill read the second time by title.

The following message was received from his Excellency the Governor, through his private Secretary, Mr. McDonald, to-wit:

Mr. President—I am instructed by his Excellency the Governor, to inform the Senate that he has this day approved and signed a bill with the following title, to-wit:

An act to amend an act, entitled, an act to amend and reduce into one the several act in relation to the Revenue of this State, approved March 5, 1846.

Mr. Torrey presented the claim of Samuel Laughman, Philip H. Truley, and John C. Call, which, on motion of Torrey, were referred to the committee on Claims.

Mr. Sharkey presented the claim of Hipple and Haven, which, on motion of Mr. Sharkey, was referred to the committee on Claims.

Mr. Brooke, from a select committee, made the following report, to-wit:

Mr. President—The select committee to whom was referred a bill to establish Murdock's ferry, across the Yazoo river, have had the same under consideration, and have instructed me to report the same back without amendment and recommend its passage, which was read, and, on motion of Mr. Brooke, was received and agreed to.

Mr. Berry, from the committee on Enrolled Bills, made the following report, to-wit:

Mr. President—The joint standing committee on Enrolled Bills have this day presented to his Excellency the Governor, for his approval and signature, bills of the following titles, to-wit:

An act to amend an act, entitled, an act to amend and reduce into one the several acts in relation to the Revenue of this State, and for other purposes, approved March 5, 1846;

An act to change the name of the Aberdeen Female Academy, and for other purposes;

An act for the relief of Jefferson J. Hughes;

An act to legalize the lease of certain School Laws therein mentioned.

Mr. Berry, from the committee on Enrolled Bills, made the following report, to-wit:

Mr. President—The joint standing committee on Enrolled Bills, have this day examined bills of the following titles, to-wit:

An act to amend an act, entitled, an act to incorporate the town of Kosciusko, in the county of Attala;

An act to incorporate Eudocia Female College, in the town of Black Hawk, Carroll county;

A resolution to establish a Light-house on the sea coast of the State of Mississippi;

A memorial to the Congress of the United States, relating to a stage route from Jackson to Baton Rouge;

A memorial of the Legislature of the State of Mississippi, to the Congress of the United States, praying a change in the system of transporting the mail, and the establishment of stage routes in this State;

A memorial to Congress to grant lands and to make mail contracts and contracts for military transportation in aid of the railroad communication between Washington City and the Mississippi river, at Vicksburg.

Mr. Beene, from the committee on Engrossed Bills, made the following report, to-wit:

Mr. President—The committee on Engrossed Bills, have examined a bill to be entitled, and act to authorize the judges of the high court of errors and appeals to meet at Oxford and hear the argument of counsel, and have found the same correctly engrossed.

Mr. Brooke, from the committee on the Judiciary, made the following report, to-wit:

Mr. President—The standing committee on the Judiciary, to whom was referred the petition of citizens of Vicksburg, praying a change of the law in relation to the interest on loaned money, have had the same under consideration, and have instructed me to report a bill in accordance with the prayer of the petitioners; which was read, and, on motion of Mr. Brooke, was received and agreed to, and the bill therein reported, to be entitled, an act to amend the law in relation to interest on loaned money, was read the first time.

On motion of Mr. Sharkey, the rule was suspended, and the bill read the second time by title.

Mr. Sharkey moved that the rule be further suspended, the bill be considered as engrossed, read the third time, and put upon its passage, which was lost.

Mr. Carter asked and obtained leave to call up the resolutions

of the Senate, "fixing the fifth day of March next for the two Houses to adjourn *sine die*."

On motion of Mr. Carter, the amendment made by the House of Representatives to said resolution, was concurred in.

Mr. Tait asked and obtained leave to call up a bill to be entitled an act to authorize the trustees of the Hernando Female Academy to make a transfer of said institution, which was read the first time.

On motion of Mr. Tait, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Tait, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Sharkey asked and obtained leave, to introduce a bill, to be entitled, an act to regulate the terms of the superior court of chancery, which was read the first time.

On motion of Mr. Sharkey, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Sharkey, said bill was referred to a select committee of three.

Messrs. Sharkey, Brooke, and Beene were appointed said committee.

Mr. Bell asked and obtained leave to call up a bill to be entitled an act to authorize the Auditor of Public Accounts to issue certain warrants therein mentioned; which was read the first time.

On motion of Mr. Bell, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Bell, the rule was further suspended, the bill read a third time and passed.

Ordered, That the title thereof be as stated.

Mr. Cannon asked and obtained leave to offer the following resolution, to-wit:

Resolved by the Legislature of the State of Mississippi, That the Secretary of State be, and he is hereby authorized and required, to distribute one copy each, of the statistics of the United States, the compendum and sixth census of the United States in 1840, and the census of pensions for revolutionary soldiers, to each county in this State, when the laws and journals are distributed, which shall be carefully kept in the office of the probate clerk, for the use of each county, for reference or otherwise.

Which was read the first time.

On motion of Mr. Cannon, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Cannon, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Sharkey asked and obtained leave to call up a bill to be entitled, an act to amend an act incorporating the city of Vicksburg, approved 15th of February, 1839, and of the several amended acts in relation thereto, which was read the first time.

On motion of Mr. Sharkey, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Sharkey, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Drane asked and obtained leave to call up a bill to be entitled, an act to submit to the legal voters within the corporate limits of the town of Greensborough, in Choctaw county, the question whether vinous and spirituous liquors shall be retailed within the same, and for other purposes, which was read the first time.

On motion of Mr. Drane, the rule was suspended, the bill read the second time by title.

On the further motion of Mr. Drane, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

On motion of Mr. Sharkey, the vote taken on yesterday, rejecting the bill to be entitled, an act to remove the county seat of Coahoma county, was reconsidered.

On the further motion of Mr. Sharkey, said bill, together with the accompanying documents, were referred to a select committee of three, with instructions to bring in a bill submitting the question to a vote of the citizens of said county.

Messrs. Sharkey, Alcorn, and Reynolds, were appointed said committee.

The Senate proceeded to the consideration of the order of the day, the report of the joint select committee on Federal and State Relations, on the special message of the Governor, was taken up.

Mr. Brooke made the following minority report, to-wit:

MR. PRESIDENT—The undesigned, a member of the committee on State and Federal Relations, to whom was referred the message of the Governor, in relation to the admission of California, as a State, not being able to concur with a majority of said committee, in the views expressed by them in their report, beg leave to submit the following reasons for dissent:

The rights of a territory to regulate the question of domestic slavery within her borders, when she adopts a form of government preparatory to admission into the Union, is conceded by all. In the case of California, however, that right is denied, for the reason that she has not passed through the incipient stage of territorial organization, and therefore it is contended that the constitution will be violated by her admission. It is true, that, heretofore, such an organization has generally preceded the formation of State constitutions, in all cases when new States have been admitted into the confederacy; but these precedents it is evident, depend upon custom alone for their validity, as we seek in vain in

the constitution, for any clause which makes it obligatory upon Congress to organize a territorial government as a precedent condition to the reception of that government as a State.

The power given to Congress to admit new States, is untrammelled, and the exercise, by that body, of legislative jurisdiction over communities, too weak in numbers to assume the attributes of soveriegntiy, if not an assumption, is one defensible alone on the ground of absolute necessity, and therefore not desirable nor maintainable in a case where that necessity does not exist. It is conceeded by many of the most eminent statesmen of the day, on both sides of Mason and Dixon's line, that the latter clause of the second section of the fourth article of the constitution confers no political power whatever upon Congress in relation to the territories belonging to the United States, but that said clause speaks of territories only as property, and is intended solely to authorize a sale or such other disposition as property may rightfully be subject to, and not to interfere with or regulate the political right of such persons as by virtue of such sale or disposition may reside thereon. If this be true, then the objection to the admission of California for the reasons assigned, falls to the ground. Is the objection that her constitution prohibits slavery more tenable? It is respectfully contended that of all the objections that could possibly be urged, this, as coming from the South, is the most dangerous to our rights, for it surrenders to the North the great principle contended for by the latter, on the occasion of the admission of Missouri, to-wit: the right of Congress to interfere and prescribe a slavery restriction clause in the consitutions of new States applying for admission. For it requires no argument to prove that if Congress can refuse that admission because of a clause prohibiting slavery, it can do the same thing for the want of such an one. If the right exists in the one instance it necessarily exists in the other. The doctrine of non-intervention here applies with peculiar force. It is the doctrine that has always been contended for by the South; and whatever else may be the reasons urged against the admission of California at this time, is there not danger, great danger, that by the action proposed by the majority of the committee, we may establish a precedent which will weaken our position at the present time, and be used against us, with fatal force whenever our rights are assailed hereafter?

It is to be hoped, that if our Union continues, that several slave States will yet be added to it; but if we, by any action of our own, destroy or weaken this doctrine of non-intervention by Congress, on such occasions, every attempt at such addition will be resisted by weapons to which we ourselves will soon give power and force. The allegation that the late California movement has been brought about by fraudulant means, for the purpose of practicably enforcing the Wilmot proviso, is wholly unsustained by proof, and casts an indecent and unjust imputation upon the Chief Magistrate of the

Union. Any attempt on his part unduly to attempt to interfere with or control the action of the people of that country, in their efforts to form a government, is denied by him in his special message to Congress, and the common respect due from one gentleman to another, should induce us to give credence to his assertion, at least until we have the proof to contradict it. In the absence of such proof, the undersigned is unwilling, by any vote or action of his, to fasten so grave a charge upon one who, whatever may be his political opinions, has, as must be admitted by all, done the State some service.

After the refusal or neglect by Congress, to provide the people of California with a government, it seemed to be the universal sentiment of the country, both north and south, that it was their inherent right to provide for themselves the necessary safe-guards for their lives and property. The propriety of exercising this right was urged upon them from all quarters, and the efforts to deny the right itself, has on a late occasion been denounced by an eminent statesman, and late a candidate much favored in the South for the highest office in their gift, "as a revival almost in terms of discussion between the parent country and the colonies." To make, then, this disputed question of fact, a ground for opposition or remonstrance, seems to be a virtual abandonment of the high position that this State, in common with the South, has assumed in reference to her constitutional rights. It is a change of the issue from one of constitutional law to one of fact simply, and one in which so far as we are at present advised, the facts are against us. Such a change is much to be deprecated.

Our true safety is the shield of the constitution, and when once we drop this and enter into a contest on disputed facts, or on the grounds of expediency, our rights are endangered, for in such a contest we must respect and yield to the power of the majority, which is against us. If it is true that in the admission of California, we are wronged, why remonstrate? Have remonstrances heretofore been respected, and is there any prospect that any we may make now will share a better fate?

The convention to be holden at Nashville, was proposed for the reason that the time had come for action — that conciliation and compromise were no longer to be thought of, and that coming events demonstrate that justice was no longer to be asked for, but taken.

Now, it is proposed that we should descend from that high position, and again resort to the weapons of persuasion and remonstrance, that we had cast aside as powerless. For the foregoing reasons, the undersigned cannot concur in action with the majority of the committee, of which he has the honor to be a member, and respectfully solicits that they may be spread upon the journals of the Senate.

At the same time he offers the following resolutions as a sub-

stitute for those of the majority. All of which is respectfully submitted.

Whereas, our Senators and Representatives in Congress, have by a letter recently addressed to his Excellency the Governor of the State of Mississippi, stated that it is their well defined opinion, that California will be admitted as a State of this Union, at the present session of Congress, with a prohibition against slavery; and have asked for an expression of opinion by the people of this State on the subject;

And, whereas, said letter has been by his Excellency submitted to the Legislature for their consideration; therefore,

Resolved, That we are not sufficiently informed in regard to the particular facts attending the formation of the constitution presented by California, to give any positive opinion in relation to the question as now presented, but that it is our ardent desire that California should come into the Union as a slave State; yet if the people of California have fairly decided otherwise, and framed a constitution and State government for themselves, in accordance with the constitution of the United States, without any fraud, improper or undue influence in the act and manner of its formation, of which fact the Congress of the United States is the judge, we as a patriotic, law-abiding people, loving the South and the Union, however deeply we may regret our own exclusion from soil purchased with our common blood and treasure, will acquiesce in the right of the people of that country, as American freemen, to form their own constitution as they may desire.

Resolved, That while the people of the State of Mississippi would regard the passage of any act by Congress, to abolish or prevent the extension of slavery, in any State or territory of this Union, or to abolish or interfere with the traffic in slaves, between the citizens of different States, or to abolish slavery in the District of Columbia, as subversive of the constitution, and dangerous to public liberty; yet they see good reason to oppose the admission of California as a State, with a constitution regulating its own domestic institutions, at as early a day as said State can be admitted in accordance with the requirements of the constitution of the United States, and the usages of government in similar cases.

Resolved, That we cannot regard the admission of California as a State, with a constitution fairly formed by her citizens, as the Wilmot proviso in any other form, although slavery may be excluded by constitutional prohibition.

Resolved, That as yet we have seen no just cause of censure of any department of the government, for the past and present condition of California, except the Congress of the United States, but we do most unqualifiedly censure Congress for its failure to provide a territorial government for that and other territories, the delay in which, in our opinion, has been brought about by the fanatics of

the North, who would jeopardize this glorious Union to stab their brethren and fellow citizens of the South.

Resolved, That our Senators and Representatives in Congress be requested to remain firmly at their posts, and to resist all aggression upon the South or its institutions.

Which was read, on motion of Mr. Brooke, was received.

Mr. Brooke moved that said minority report be agreed to; which was lost.

Mr. Sharkey offered the following amendment to the majority report of said committee, viz:

Strike out the word "government," in the first line in the third resolution, and insert, in lieu thereof, the word "Congress;" which was lost.

Mr. Brooke offered the minority report as a substitute for the majority report; and the vote being taken on the adoption thereof, was lost.

Mr. Brooke called for the ayes and nays thereon, which are as follows, to wit:

AYES—Messrs. Alcorn, Brooke, Reynolds, Sharkey, Tait and White—6.

NAYS—Mr. President, Messrs. Bell, Berry, Beene, Catching, Cannon, Carter, Drane, Davis, Golladay, Gilleland, Greer, Hughes, Kennedy, McAfee, Pettus, Ramsay, Singleton, Stone, Stewart, Torrey, Taliaferro and Thompson—23.

On motion of Mr. Kennedy, the rule was suspended, the report and resolutions were considered as engrossed, read the third time and passed.

Mr. Kennedy called for the ayes and nays thereon, which are as follows, to wit:

AYES—Mr. President, Messrs. Bell Berry, Beene, Catching, Cannon, Carter, Drane, Davis, Gilleland, Hughes, Kennedy, McDugald, McAfee, Pettus, Ramsay, Singleton, Stone, Stewart, Torrey, Taliaferro and Thompson—22.

NAYS—Messrs. Alcorn, Brooke, Reynolds, Sharkey, Tait and White—6.

Ordered, That the title thereof be as stated.

The following message was received from the House of Representatives, through their clerk, Mr. Russell:

MR. PRESIDENT—The House of Representatives have passed bills with the following titles:

A bill to be entitled an act to change the name of Narcissa Rebecca Wilkinson, of Pike county, and for other purposes;

A bill to be entitled an act to amend the several acts heretofore passed, incorporating the town of Brandon, and for other purposes;

A bill to be entitled an act to restrict railroad companies, and make them liable in certain cases;

In which I am instructed to desire the concurrence of the Senate.

The House of Representatives have passed a Senate bill to be

entitled an act to amend an act to change the mode of collecting revenue of hawkers and pedlars, approved February 28th, 1846, and have made an amendment thereto;

In which I am instructed to desire the concurrence of the Senate.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

Mr. President—The House of Representatives have passed bills with the following titles:

A bill to be entitled an act to change the time of holding the probate court of Simpson county;

A bill to be entitled an act for the relief of Edward C. Eggleston, deputy sheriff of Lowndes county;

A bill to be entitled an act to authorize Thomas Lyons and others to hawk and peddle, free of license;

In which I am instructed to desire the concurrence of the Senate.

On motion of Mr. Pettus, the Senate adjourned until 7 o'clock, P. M.

SEVEN O'CLOCK, P. M.

The Senate met pursuant to adjournment.

The Senate proceeded to the consideration of the orders of the day, and resolved itself into committee of the whole on a bill to be entitled an act to provide for the payment of the bonds of the State, sold on account of the Planters' Bank, Mr. Bell in the chair; and, after some time spent therein, the committee rose, and Mr. Bell reported said bill back to the Senate, with sundry amendments.

On motion of Mr. Bell, the report was received.

Mr. Brooke offered the following amendment, to wit:

Strike out all after the enacting clause, and insert as follows, to wit:

That the sum of one hundred and eighty thousand dollars be, and the same is hereby, appropriated, annually, to the payment of the bonds issued by the State, for stock in the Planters' Bank, and interest thereon, to be applied in the manner hereinafter directed.

Section 2. *And be it further enacted,* That the sum of one hundred and eighty thousand dollars shall be paid, annually, by the treasurer, under the direction of the Governor, to the holders of said bonds, beginning on the first day of July, eighteen hundred and fifty, towards the interest and principal of said bonds now due and unpaid, and which shall hereafter fall due by the first day of July, eighteen hundred and sixty-six.

Section 3. *And be it further enacted,* That, after the first day of July, eighteen hundred and sixty-six, the sum of thirty thousand dollars per annum shall be paid by the treasurer, under the direction of the Governor, towards the accruing interest on said bonds, falling due in eighteen hundred and seventy-one; and the balance

of said annual appropriation, amounting to one hundred and fifty thousand dollars, shall be applied to the payment of the principal and interest remaining due and unpaid on the first day of July, eighteen hundred and sixty-six, until the whole of said balance of principal and interest shall be paid.

Section 4. *And be it further enacted*, That, after the balance of principal and interest remaining due and unpaid on the first day of July, eighteen hundred and sixty-six, shall have been paid off, as hereinafter provided for, the balance of said annual appropriation, after paying the accruing interest on said bonds, falling due in eighteen hundred and seventy-one, shall be annually applied by the treasurer, under the direction of the Governor, to the purchase or payment of said bonds, until the whole of said bonds shall be purchased or paid.

Section 5. *And be it further enacted*, That the payments hereinbefore provided for shall be made at the office of the Treasurer of the State of Mississippi, under the direction of the Governor.

Section 6. *And be it further enacted*, That the payments provided for in the second and third section of this act, shall be made pro rata, on all principal and interest that shall be due at the time of making each and every said payment.

Which was read, and, on motion of Mr. Catching, was laid on the table.

Mr. Brooke called for the ayes and nays thereon, which are as follows, to wit:

AYES—Messrs. Bell, Berry, Cannon, Carter, Drane, Davis, Gilleland, McDugald, McAfee, Pettus, Ramsay, Singleton, Thompson and White—15.

NAYS—Mr. President, Messrs. Alcorn, Brooke, Beene, Golladay, Greer, Kennedy, Reynolds, Stewart, Torrey, Taliaferro and Tait—11.

Mr. Pettus offered the following amendment to said bill, to wit:

Amend by striking out, in section first, line sixth, the words "given by the State on behalf," and insert, "of the State, sold on account."

Which was read.

Mr. Brooke moved to lay said amendment on the table; which was lost.

On motion of Mr. Pettus, said amendment was adopted.

Mr. Brooke offered the following amendment, to wit:

Strike out all after the enacting clause, and insert as follows, to wit:

That the sum of four hundred thousand dollars be, and the same is hereby, appropriated to the payment of the bonds and coupons issued by the State on account of the Planters' Bank.

Section 2. *Be it further enacted*, That the sum of two hundred thousand dollars of said amount shall be paid on the first day of April next, or as soon thereafter as the said amount of bonds and

coupons shall be presented to the treasurer of the State; and two hundred thousand dollars of said amount of four hundred thousand dollars, shall be paid on the first day of June next, or as soon thereafter as the bonds and coupons, issued as aforesaid, shall be presented to the Treasurer of the State.

Section 3. *Be it further enacted*, That the appropriations herein made are expressly provided for the payment of bonds and coupons of interest on said bonds, according to their priority or maturity.

Section 4. *Be it further enacted*, That no coupons shall be paid unless the same are presented, attached to the bond, and cut therefrom by the State Treasurer.

Which amendment was read, and, on motion of Mr. Carter, was laid on the table.

Mr. Brooke called for the ayes and nays thereon, which was are as follows:

AYES—Messrs. Bell, Berry, Catching, Cannon, Carter, Drane, Davis, Gilleland, Hughes, McDugald, McAfee, Pettus, Ramsay, Singleton, Sharkey, Thompson and White—17.

NAYS—Mr. President, Messrs. Alcorn, Brooke, Beene, Golladay, Greer, Kennedy, Reynolds, Stewart, Torrey, Taliaferro and Tait—12.

Mr. Brooke moved that said bill be indefinitely postponed; which was lost.

Mr. Berry called for the ayes and nays thereon, which are as follows, to wit:

AYES—Mr. President, Messrs. Brooke, Bell, Beene, Golladay, Gilleland, Greer, Kennedy, Reynolds, Stewart, Torrey, Taliaferro and Tait—13.

NAYS—Messrs. Alcorn, Berry, Catching, Cannon, Carter, Drane, Davis, Hughes, McDugald, McAfee, Pettus, Ramsay, Singleton, Sharkey, Thompson and White—16.

Mr. Alcorn offered the following amendment to said bill, to wit:

Section —. *Be it further enacted*, That the sum of ninety-three thousand dollars, or so much as the Sinking Fund of this State may amount to, together with the further sum of one hundred and forty-two thousand dollars, out of any money in the treasury not otherwise appropriated, be, and the same is hereby, appropriated to the payment of the interest due and falling due upon the bonds of this State, sold for stock in the Planters' Bank, for the years 1850 and 1851; and the Auditor of Public Accounts is hereby required to issue his warrant on the Treasurer, first for the interest of the Sinking Fund of this State, and then for the further sum of one hundred and forty-two thousand dollars aforesaid; which warrants shall be in favor of the holder or holders of said bonds, as they may be presented, showing interest to be due for the years aforesaid.

Which was read.

Mr. Singleton offered the following amendment to the amendment, to wit:

Provided, That the coupons of interest shall be presented, attached to the bonds, and cut therefrom by the Treasurer.

Which was read, and, on motion of Mr. Singleton, was adopted.

The question then being taken on the amendment, as amended; it was adopted.

Mr. Alcorn called for the ayes and nays thereon, which are as follows, to wit:

AYES—Mr. President, Messrs. Alcorn, Brooke, Beene, Cannon, Carter, Gilleland, Greer, Kennedy, Reynolds, Singleton, Stewart, Sharkey, Torrey, Taliaferro and Tait—16.

NAYS—Messrs. Bell, Berry, Catching, Drane, Davis, Hughes, McDugald, McAfee, Pettus, Ramsay and White—11.

Mr. Alcorn offered the following amendment to said bill, to wit:

Insert, in the tenth line, in the first section, after the word "bonds," the words, "and coupons of interest;" and in the eleventh line, in the second section, after the word "bonds," the said words, "and coupons of interest."

Which was read, and, on motion of Mr. Alcorn, was adopted.

On motion of Mr. Cannon, said bill, as amended, was ordered to be engrossed and made the special order of the day, in committee of the whole, at 11 o'clock, A. M., on to-morrow.

The Senate resolved itself into committee of the whole, on a bill to be entitled an act to provide for the disposition of the surplus revenue, now in the treasury, and for other purposes, Mr. Carter in the chair; and, after some time spent therein, the committee rose, and Mr. Carter reported said bill back to the Senate, without amendment, and recommended its passage.

Mr. Carter moved that the report be received and agreed to.

Mr. Sharkey called for a division of the question.

The vote was first taken on receiving the report; which was decided in the affirmative.

Mr. Cannon moved that the report be laid on the table; which was lost.

Mr. Cannon called for the ayes and nays thereon, which are as follows, to wit:

AYES—Mr. President, Messrs. Bell, Berry, Catching, Carter, Greer, Hughes, McDugald, Pettus, Stewart, Sharkey, Taliaferro, Tait and White—14.

NAYS—Messrs. Alcorn, Brooke, Beene, Cannon, Drane, Davis, Golladay, Gilleland, Kennedy, McAfee, Ramsay, Reynolds, Singleton, Torrey and Thompson—15.

Mr. Alcorn offered the following amendment to said bill, to wit:

Exclusive of such sum or sums as may be appropriated for the payment of the bonds or coupons of interest sold by the State for stock in the Planters' Bank.

Which was read, and on motion of Mr. Alcorn, was adopted.

On motion of Mr. Alcorn, the report, as amended, was agreed to.

The question was then taken on the engrossment of said bill, as amended; which was lost.

Mr. Sharkey called for the ayes and nays thereon, which are as follows, to wit:

Ayes—Messrs. Alcorn, Brooke, Berry, Beene, Cannon, Drane, Golladay, Gilleland, Kennedy, McAfee, Ramsay, Reynolds, Thompson and Tait—14.

Nays—Mr. President, Messrs. Bell, Catching, Carter, Davis, Greer, Hughes, McDugald, Pettus, Singleton, Stewart, Sharkey, Torrey, Taliaferro and White—15.

A bill to be entitled an act to authorize the Auditor of Public Accounts to settle the claim of Robert Josselyn for printing done for the State of Mississippi, during the years 1842 and 1843, was read the first time.

On motion of Mr. Taliaferro, the rule was suspended and the bill read the second time by title.

On the further motion of Mr. Taliaferro, the rule was further suspended, the bill considered as engrossed, read the third time and passed.

Ordered, That the title thereof be as stated.

On motion of Mr. Alcorn, the Senate resolved itself into committee of the whole, on a bill to be entitled an act to levy a tax on all the State lands lying in the county of Bolivar, and the lands owned by the State in the counties of Washington and Issaquena, for the purpose of constructing a levee on the Mississippi river, in the county of Bolivar, Mr. Bell in the chair; and, after some time spent therein, the committee rose, and Mr. Bell reported said bill back to the Senate, with an amendment, and recommended its passage.

On motion of Mr. Bell, the report was received and agreed to.

On motion of Mr. Gilleland, the rule was suspended, the amendment considered as engrossed with the bill, the bill, as amended, read the third time and passed.

The ayes and nays thereon are as follows, viz:

Ayes—Mr. President, Messrs. Alcorn, Brooke, Bell, Berry, Beene, Catching, Cannon, Carter, Drane, Davis, Golladay, Gilleland, Greer, Hughes, Kennedy, McAfee, Pettus, Ramsay, Singleton, Stone, Stewart, Sharkey, Torrey, Taliaferro, Thompson, Tait and White—28.

Nays—None.

Mr. Cannon offered the following amendment to the title of said bill, to wit:

Insert the word "internal improvement;" which was read, and, on motion of Mr. Cannon, was adopted.

Ordered, That the title thereof be as amended.

On motion of Mr. Carter, the Senate adjourned until to-morrow morning, 10 o'clock.

THURSDAY, FEBRUARY 28, 1850.

The Senate met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Anderson.

Mr. Davis moved that the reading of the journal of yesterday be dispensed with, which was lost.

The journal of yesterday was read.

On motion of Mr. Cannon, the vote taken on yesterday, on the passage of a bill to be entitled an act to levy a tax on all the internal improvement lands lying in the county of Bolivar, and the lands owned by the State in the counties of Washington and Issaquena, for the purpose of constructing a levee on the Mississippi river, in said county of Bolivar, was reconsidered.

Mr. Cannon offered the following amendment to said bill, to wit;

Amend, by adding at the end of said section, "Said bond shall be made payable to the Governor, and his successors in office, and approved by the Auditor and filed in his office.

On motion of Mr. Alcorn, the rule was suspended, the amendment, with the bill, considered as engrossed, read the third time and passed.

The ayes and nays thereon are as follows, to wit:

AYES—Mr. President, Messrs. Alcorn, Brooke, Bell, Berry, Beene, Catching, Cannon, Carter, Drane, Davis, Golladay, Gilleland, Greer, Hodges, Hughes, McAfee, Pettus, Reynolds, Singleton, Stone, Stewart, Sharkey, Talliaferro, Thompson, Tait and White—28.

NAYS—None.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

MR. PRESIDENT—The House of Representatives have passed bills of the following titles:

A bill to be entitled an act to enable the counties through which the Ohio and Mobile Railroad may pass, or which may be contiguous to same, to subscribe for and hold stock in the same, and for other purposes;

A bill to be entitled an act concerning common schools, in the county of Jefferson;

A bill to be entitled an act to declare Twenty-mile creek, from its confluence with Brown's creek to Wyley Belcher's mills, in Tishemingo county, a navigable stream;

A bill to be entitled an act to repeal an act to establish a system of common schools, and for other purposes, approved March 4th, 1846, so far as the same relates to the county of Warren;

A bill to be entitled an act for the benefit of Benjamin W. Ligget, and for other purposes;

A bill to be entitled an act to incorporate the Yazoo city and Houston Railroad company;

A bill to be entitled an act to refund certain taxes illegally assessed on lands of Jefferson College;

A bill to be entitled an act to incorporate the Scott County Charcoal Road company;

A bill to be entitled an act to provide for the education of poor children and orphans, in the county of Warren;

In which I am instructed to desire the concurrence of the Senate.

And have passed a Senate bill to be entitled an act to increase the common school fund in the county of Tishemingo; and a bill for the relief of Joseph A. Williamson, jr.

The House of Representatives have passed an act granting a charter for a turnpike and ferry at Panola, the objections of the Governor to the countrary notwithstanding, which I am instructed to present to the Senate for their consideration. The objections of the Governor are herewith transmitted.

The following message was received from his Excellency the Governor, through his private Secretary, Mr. McDonald, to wit:

Mr. President—I am instructed by his Excellency the Governor, to inform the Senate that he has this day approved and signed a bill of the following title, to-wit:

An act to authorise Peter M. Oliver and John Robertson, or their assigns, to build a turnpike road through the swamp of Coldwater, in Desoto county.

Mr. Stewart asked and obtained leave to introduce a bill to be entitled an act to incorporate the Protestant Episcopal Church of the United States of America, for the Diocese of Mississippi, which was read the first time.

On motion of Mr. Stewart, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Stewart, the rule was further suspended, the bill considered as engrossed, read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Davis asked and obtained leave to introduce a bill to be entitled an act to change the time of holding the Vice Chancery court at Monticello, and of the Circuit courts in a part of the 2nd Judicial District; which was read the first time.

On motion of Mr. Catching, the rule was suspended, and the bill read a second time by title.

On the further motion of Mr. Catching, the rule was further suspended, the bill considered as engrossed, read the third time and passed.

Ordered, that the title thereof be as stated.

Mr. Sharkey, from a select committee, made the following report, to wit:

Mr. President—The select committee, to whom was referred

a bill to be entitled an act to regulate the terms of the Superior Court of Chancery, have had the same under consideration, and instructed me to report said bill back and recommend its passage.

Which was read, and, on motion of Mr. Sharkey, was received and agreed to, and the bill therein reported, to be entitled an act to regulate the terms of the Superior Court of Chancery, was read the third time and passed.

Ordered, that the title thereof be as stated.

The following message was received from the House of Representatives through their clerk, Mr. Russell, to wit:

Mr. President—The House of Representatives have passed bills with the following titles, to wit:

A bill to be entitled an act for the benefit of the Southern Guards;

A bill to be entitled an act to regulate the mileage of members of the Legislature;

In which I am instructed to desire the concurrence of the Senate.

Mr. President—The Speaker of the House of Representatives has signed bills with the following titles, viz:

An act to authorise the trustees of the Hernando Female Academy to make a transfer of said institution;

An act to authorise the Auditor of Public Accounts to issue certain warrants therein mentioned;

An act for the suppression of the game of Rondo, and for other purposes;

An act to submit to the legal voters living within the corporate limits of the town of Greensboro', in Choctaw county, the question, whether vinous and spiritous liquors shall be retailed within the same, and for other purposes;

An act to amend an act incorporating the city of Vicksburg, approved 15th February, 1839, and of the several amended acts relating thereto;

An an act to reduce into one the several acts heretofore passed in relation to 16th sections and common schools, so far as relates to the county of Hinds;

Which I am instructed to present to the Senate for the signature of the President.

Mr. Alcorn asked and obtained leave to call up the following message from his Excellency the Governor, vetoing a bill to be entitled an act granting a charter for the turnpike and ferry at Panola, to wit:

To the House of Representatives:

I return to the House of Representatives, without my approval, the bill entitled an act granting a charther for a turnpike and ferry at Panola.

The bill grants to William C. Rayburn, his heirs, executors and administrators and assigns, for fifty years, the exclusive privilege

against all other persons, of establishing and keeping up a ferry across the Tallahatchie, at the town of Panola, and within the space of two miles on each side of said ferry, thus precluding any other citizen, and even the board of police, from establishing a ferry for the space of four miles on this river.

The first section of our Declaration of Rights forbids the grant of exclusive privileges, except in consideration of public services. By public services, are evidently meant such as are rendered without other compensation, sacrifice of labor or money made by a citizen for the public welfare, not labor performed or money expended for private gain. If such is not the intention of our organic law, it can have no application, inasmuch as all well directed labor, all industrial pursuits, all money rightly expended, although for the object of private advantage, in one sense of the word promotes the public good.

In the case under consideration, there are no such considerations. Some temporary advantages may accrue from the construction of this turnpike and ferry; but it is far more probable, that long before this extensive charter shall expire, the most serious circumstances may flow from the possession, by an individual, of the sole right of ferry across the Tallahatchie for four miles. The neighboring county is yet sparsely peopled—its resources yet undeveloped—its future wealth uncounted.

We cannot know what railroads, plank roads, highways, ferries or bridges, the convenience of the people, of all the adjoining counties may in the next half century require. Shall we, then, by the grant of exclusive privileges, for so long a time to come, block out all improvements from the interdicted district? Experience and observation have long since convinced me of the great impolicy of thus vainly attempting to regulate the future wants of the country. The hereditary privilege, also granted by this bill, is exceptionable, and seems to me, not in accordance with the 26th section of the bill of Rights.

I will not express a positive opinion, that the Legislature cannot establish and regulate a turnpike or private road wholy within the limits of a county in derogation of the constitutional powers conferred upon the board of police; but I do question the right in this case of infringing upon the powers of the boad of police of Panola county, to establish ferries wherever in their jurisdiction they may deem them necessary. [See Sec. 20, Art. II, of the Costitution.]

Opposed to the grant of all exclusive privileges, whether to corporate bodies or natural persons, I am compelled by my sense of duty, to return this bill to the House for the further consideration of the Legislature.

J. A. QUITMAN.

Executive Chamber,
Jackson, 26 February, 1850.

Which was read; and the question being taken, "Shall this bill pass, notwithstanding the executive veto?" it was decided in the affirmative.

The ayes and nays thereon are as follows, to wit:

Ayes—Mr. President, Messrs. Alcorn, Bell, Berry, Catching, Cannon, Carter, Drane Golladay, Hodges, Hughes, Pettus, Reynolds, Singleton, Stone, Stewart, Sharkey, Torrey, Thompson, Tait and White—22.

Nays—Messrs. Beene, Gilleland, Greer, Kennedy, McDugald, McAfee, Ramsay and Taliaferro—8.

Mr. Stewart gave notice that he would, on to-morrow, or some subseqent day, move a reconsideration of the vote taken on yesterday, on the rejection of a bill to be entitled an act to provide for the disposition of the surplus revenue now in the treasury, and for other purposes.

Mr. Berry, from the committee on Enrolled Bills, made the following report, to-wit:

Mr. President—The joint standing committee on Enrolled Bills, have this day examined bills of the following titles, to-wit:

An act to authorise the trustees of the Hernando Female Academy to make a transfer of said institution;

An act to authorise the Auditor of Public Accounts to issue certain warrants therein mentioned;

An act for the suppression of the game of Rondo, and for other purposes;

An act to submit to the legal voters living within the corporate limits of the town of Greensboro', in Choctaw county, the question, whether vinous and spirituous liquors shall be retailed within the same, and for other purposes;

An act to amend an act incorporating the city of Vicksburg, approved 15th February, 1839, and of the several amended acts in relation thereto;

An act to reduce into one the several acts heretofore passed in relation to sixteenth sections and common schools, so far as relates to the county of Hinds;

And have found the same correctly enrolled.

Mr. Ramsay, from a select committee, made the following report, to wit:

Mr. President—The select committee, to whom was referred the bill entitled an act to amend an act entitled an act to incorporate the town of Pass Christian, have had the same under consideration, and have instructed me to report that they have made several erasures from, and amendments to, said bill, as follows:

In section 2, strike out all after the word Legislature, in the 5th line, to the word shall, in the 9th line.

Section 6, after the word peace, in line 13th, strike out the words, "or clerk of the Circuit court;" in line 17th, after the word

"Governor," all to the word "as," in line 18th; in line 46, after the word "any," insert the word "personal."

Section 9, after the word "council," in line 20th, insert the words, "in three public places in said town;" in line 21, insert after the word "direct," the words "not less than ten days;" and in line 22, after the word "from," the words "the time said notice is given;" in line 36, strike out all after the word "face," to the word "and," in line 38; also, all after the word "exhibition," in line 40, to the word "and," in line 47, and insert in lieu thereof, the words "they shall have full power over the subject of nuisances within said town;" also strike out all from the word "extend," in line 72, to the word "whatever," in line 74, and in lieu thereof, the words "only to the limits of the corporation."

Section 11. Amend said section by adding thereto, the words, "*Provided*, the right of trial by jury shall in no case be refused where now allowed by law."

Which was read, and on motion of Mr. Kennedy, was received and agreed to, and the bill therein reported, to be entitled an act to amend an act entitled an act to incorporate the town of Pass Christian, was, on motion of Mr. Ramsay, ordered to be engrossed for a third reading on to-morrow.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

Mr. President—The House of Representatives have concurred in the Senate amendment to the House bill, to be entitled an act to levy a tax on all the State land lying in Bolivar, and the land owned by the State in the counties of Washington and Issaquena, for the purpose of constructing a levee on the Mississippi river, in said county of Bolivar.

Mr. Tait asked and obtained leave to offer the following resolution, to wit:

Resolved, That the Senate, for the balance of the session, or so long as business require it, meet at 9 o'clock in the forenoon, and 3½ o'clock in the afternoon of each day.

Mr. Pettus moved to amend said resolution, by striking out all after the word "forenoon;" which was adopted, and, on the further motion of Mr. Pettus, said resolution as amended was adopted.

Mr. Beene, from the committee on Engrossed Bills, made the following report, to wit:

Mr. President—The committee on Engrossed Bills have examined a bill to be entitled an act to provide for the payment of bonds of the State sold on account of the Planters' Bank, and have found the same correctly engrossed.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to-wit:

Mr. President—The House of Representatives have passed bills with the following titles, to-wit:

A bill to be entitled an act to incorporate the Vicksburg and Warren County Manufacturing company;

A bill to be entitled an act to incorporate the Magnolia Hotel Company;

A bill to be entitled an act to incorporate the Vicksburg Manufacturing Company;

A bill to be entitled an act to indemnify owners of property destroyed by railroad companies in the State of Mississippi;

A bill to be entitled an act to amend the several acts concerning estrays;

In which I am requested to desire the concurrence of the Senate.

The House of Representatives have passed a Senate bill of the following title:

A bill to be entitled an act to repeal the first section of an act to amend the road laws for the county of Monroe, approved February 23d, 1848;

The Senate proceeded to the orders of the day.

A bill to be entitled an act to provide for the payment of the bonds of the State, sold on account of the Planters' Bank, was read the third time.

On motion of Mr. Pettus, the Senate resolved itself into committee of the whole, forthwith on said bill, Mr. Bell in the chair; and after sometime spent therein, the committee rose, and Mr. Bell reported said bill back to the Senate, with an amendment, and recommended its passage.

On motion of Mr. Bell, the report was received and agreed to, and the bill as amended, read the third time and passed.

The ayes and nays thereon are as follows, to wit:

AYES—Mr. President, Messrs. Alcorn, Berry, Catching, Cannon, Carter, Drane, Davis, Hodges, Hughes, McDugald, McAfee, Pettus, Ramsay, Singleton, Stone, Stewart, Sharkey, Torrey, Thompson and White—21.

NAYS—Messrs. Brooke, Bell, Beene, Golladay, Gilleland, Greer, Kennedy, Reynolds, Talliaferro and Tait—10.

Ordered, That the title thereof be as stated.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

MR. PRESIDENT—The House of Representatives have passed a bill to be entitled an act to reduce into one the several acts for the relief and settlement of the poor.

In which I am instructed to desire the concurrence of the Senate.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

MR. PRESIDENT—The House of Representatives have passed a bill to be entitled an act to provide for the appointment of patrols.

In which I am instructed to desire the concurrence of the Senate.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

MR. PRESIDENT—The House of Representatives have passed a bill of the following title, to wit:

A bill to be entitled an act to authorise and require the Attorney General to commence suit against the trustees of Jefferson College, and for other purposes.

In which I am instructed to desire the concurrence of the Senate.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to-wit:

MR. PRESIDENT—The House of Representatives have passed a bill to be entitled an act to change the mode of electing the Reporter of the decisions of the High Court of Errors and Appeals of this State, and for other purposes.

In which I am instructed to desire the concurrence of the Senate.

The Senate again resumed the consideration of the orders of the day:

A bill to be entitled an act to provide for sale of the five hundred thousand acres of land donated to the State of Mississippi, by the Congress of the United States, for the purposes of internal improvement, and to repeal an act with the same title, approved February 23d, 1848, was read the third time.

On motion of Mr. Brooke, the Senate resolved itself into committee of the whole, on said bill, Mr. Catching in the chair; and, after some time spent therein, the committee rose, and Mr. Catching reported said bill back to the Senate, with sundry amendments, and asked to be discharged from the further consideration of the same.

Mr. Catching moved that the report be received and agreed to.

Mr. Alcorn moved that the Senate adjourn until 7 o'clock, P. M.; which was lost.

On motion of Mr. Beene, the Senate adjourned until 3 o'clock, P. M.

THREE O'CLOCK, P. M.

The Senate met pursuant to adjournment.

On motion of Mr. Alcorn, the Senate adjourned until 7 o'clock, P. M.

SEVEN O'CLOCK, P. M.

The Senate met pursuant to adjournment.

The Senate proceeded to the consideration of the orders of the day, and took up the bill to be entitled an act to provide for the sale of the five hundred thousand acres of land donated to the State of Mississippi, by the Congress of the United State, for the purposes of internal improvement, and to repeal an act of the same title, approved February 23d, 1848.

The question was on the motion of Mr. Catching, to receive and agree to the report of the committee of the whole, on said bill.

Mr. Alcorn moved to amend said bill by adding to the second section the word "Tallahatchie;" which was adopted.

Mr. Brooke moved to amend said bill by adding the county of "Sunflower" to the second section; which was lost.

Mr. Pettus moved to amend said bill by striking out the fourth section; which was adopted.

Mr. Alcorn moved to amend said bill by striking out of the second line, in the fifth section, the words, "and was at the time of the location thereof;" which was adopted.

Mr. Golladay moved to amend said bill by adding, in the eleventh line of the fifth section, after the word "section," the words, "nor less than eighty acres;" which was adopted.

Mr. Brooke moved to amend said bill by striking out of the eighth line, in section first, after the word "of," the words "four dollars," and insert, in lieu thereof, the words "two dollars and fifty cents;" which was lost.

Mr. Brooke offered the following amendment to said bill, to wit:

Section —. *Be it further enacted*, That after the expiration of one year from the date of the sale, the minimum price of said lands shall be reduced to three dollars per acre; and after the expiration of two years, to two dollars; and after the expiration of three years, to one dollar and twenty-five cents per acre.

Which was adopted.

Mr. Alcorn offered the following amendment to said bill, to wit:

Strike out section one, and two first lines of section two, and insert, after the enacting clause:

"That any of the five hundred thousand acres of land donated to this State by the general government for purposes of internal improvement, remaining unsold at the passage of this act, be, and the same."

Strike out the word "said," and insert "the."

Mr. Drane moved a reconsideration of the vote taken on the adoption of the amendment offered by Mr. Brooke; which was decided in the affirmative.

Mr. Brooke moved to amend said amendment by striking out the words "date of the sale," and insert the words, "passage of this act;" which was adopted, and, on motion of Mr. Brooke, the amendment, as amended, was adopted.

On motion of Mr. Cannon, said bill, as amended, was ordered to be engrossed for a third reading on to-morrow.

A bill to be entitled an act to authorize the State of Mississippi to subscribe for stock in the Mobile and Ohio Railroad Company, and for other purposes, was taken up.

On motion of Mr. Berry, said bill was laid on the table.

A bill to be entitled on act to locate, permanently, the seat of justice of Monroe county, was read the first time.

On motion of Mr. Thompson, the rule was suspended and the bill read the second time by title.

On the further motion of Mr. Thompson, the rule was suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to authorize the judges of the High Court of Errors and Appeals to meet at Oxford and hear the argument of cases, was read the third time.

On motion of Mr. Sharkey, the Senate resolved itself into a committee of the whole, forthwith, on said bill, Mr. Stone in the chair; and, after some time spent therein, the committee rose, and Mr. Stone reported said bill back to the Senate, with sundry amendments, and recommended its passage.

Mr. Stone moved that the report be received and agreed to.

Mr. Carter called for a division of the question.

The vote was first taken on receiving the report; which was decided in the affirmative.

The vote was next taken on agreeing to the report; which was decided in the affirmative.

Mr. Taliaferro moved that said bill, as amended, be engrossed, and made the special order of the day for 11 o'clock, A. M., on to-morrow; which was decided in the negative.

Mr. Kennedy called for the ayes and nays thereon, which are as follows, to wit:

AYES—Mr. President, Messrs. Bell, Berry, Beene, Catching, Greer, Pettus, Reynolds, Stone, Stewart, Sharkey, Taliaferro, Thompson and Tait—14.

NAYS—Messrs. Alcorn, Cannon, Carter, Drane, Golladay, Gilleland, Hodges, Hughes, Kennedy, McDugald, McAfee, Ramsay, Singleton and Torrey—14.

Mr. Alcorn moved a reconsideration of the vote just taken on the engrossment of said bill.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

MR. PRESIDENT—The House of Representatives have passed bills with the following titles;

A bill to be entitled an act to promote common schools in the several counties in this State;

A bill to be entitled an act to dispose of certain books now in the State Library;

In which I am instructed to desire the concurrence of the Senate.

On motion of Mr. Drane, the Senate adjourned until to-morrow morning, 9 o'clock.

FRIDAY, MARCH 1, 1850.

The Senate met pursuant to adjournment.

The journal of yesterday was read.

Mr. Berry offered the following resolution, to wit:

Resolved, That hereafter no Senator shall speak, either in the Senate or committee of the whole, more than five minutes, at any one time, on the same question.

Mr. Tait moved to amend said resolution by adding, "except by special permission;" which was adopted.

Mr. Pettus moved to amend said resolution by striking out the word "five," and insert the word "ten," in lieu thereof, after the word "than;" which was adopted.

On motion of Mr. Berry, said resolution, as amended was adopted.

Mr. Torrey presented the claim of A. J. Babbett; which, on motion of Mr. Torrey, was referred to the Committee on Claims.

Mr. McDugald asked and obtained leave to introduce a bill to be entitled an act supplemental to an act to change the time of holding the probate court of Jasper county; which was read the first time.

On motion of Mr. McDugald, the rule was suspended and the bill read the second time by title.

On the further motion of Mr. McDugald, the rule was further suspended, the bill considered as engrossed, read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Berry, from the committee on Enrolled Bills, made the following report, to wit:

MR. PRESIDENT—The committee on Enrolled Bills have this day presented to his Excellency, the Governor, for his approval and signature, bills of the following titles, to wit:

An act to authorize the Auditor of Public Accounts to issue certain warrants therein mentioned;

An act for the suppression of the game of rondo, and for other purposes;

An act to authorize the trustees of Hernando Female Academy to made a transfer of said institution:

An act to amend an act incorporating the city of Vicksburg, approved February 15th, 1839, and of the several amended acts in relation thereto;

An act to submit to the legal voters living within the corporate limits of the town of Greensboro', in Choctaw county, the question whether vinous and spiritous liquors shall be retailed within the same, and for other purposes;

An act to reduce into one the several acts heretofore passed in

relation to sixteenth sections and common schools, so far as relates to the county of Hinds;

And have also deposited in the office of the Secretary of State, an act granting a charter for a turnpike and ferry at Panola—the same having passed both Houses of the Legislature by a constitutional majority of two-thirds, the objections of the Governor to the contrary notwithstanding.

Mr. Berry from the committee on Enrolled Bills, made the following report, to wit:

MR. PRESIDENT—The joint standing committee on Enrolled Bills have this day examined bills of the following titles, viz:

An act for the relief of Joseph A. Williamson, jr.;

An act to repeal the first section of an act entitled an act to amend the road laws for the county of Monroe, approved February 23d, 1848;

An act to increase the common school fund in the county of Tishemingo;

An act authorizing the Auditor of Public Accounts to settle the claim of Robert Josselyn, for printing done for the State of Mississippi during the years 1842 and 1843;

An act to levy a tax on all the internal improvement lands lying in the county of Bolivar, and the lands owned by the State in the counties of Washington and Issaquena, for the purpose of constructing a levee on the Mississippi river, in said county of Bolivar;

And act to locate, permanently, the seat of justice of Monroe county;

And have found the same correctly enrolled.

Mr. Ramsay, from a select committee, made the following report, to wit:

MR. PRESIDENT—The committee to whom was referred the resolution to inquire into the situation of the loan made to Jefferson College, and report upon the expediency of collecting the same, beg leave to report that the same subject has been acted on by the House of Representatives, and that they ask leave to be discharged from the further consideration of the same.

Which was read, and, on motion of Mr. Ramsay, agreed to.

Mr. Berry asked and obtained leave to withdraw from the committee to whom was referred a bill to be entitled an act for the education of the poor children of this State.

Mr. Berry asked and obtained leave to introduce a bill to be entitled an act to provide the mode of applying school funds in Tippah county, and for other purposes; which was read the first time.

On motion of Mr. Berry, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Berry, the rule was further suspended, the bill considered as engrossed, read the third time and passed.

Ordered, That the title thereof be as

Mr. Cannon asked and obtained leave to call up a bill to be entitled an act for the relief of E. C. Eggleston, deputy sheriff of Lowndes county; which was read the first time.

On motion of Mr. Cannon, the rule was suspended and the bill read the second time by title.

On the further motion of Mr. Cannon, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Stone asked and obtained leave to introduce a bill to be entitlen an an act supplemental to an act to provide for the payment of the Planters' Bank bonds; which was read the first time.

On motion of Mr. Stone, the rule was suspended and the bill read the second time by title.

On motion of Mr. Gilleland, said bill was laid on the table.

Mr. Thompson asked and obtained leave to introduce a bill to be entitled an act for the protection of attorneys, counsellors, advocates or solicitors in chancery, of this State; which was read the first time.

On motion of Mr. Thompson, the rule was suspended and the bill read the second time by title.

On motion of Mr. Cannon, the rule was further suspended and the bill read the third time.

Mr. Drane offered the following amendment, by way of ryder, to wit:

And be it further enacted, That it shall be unlawful for any other citizen to become security upon any of the above mentioned bonds.

Which was read, and, on motion of Mr. Drane, said amendment was adopted.

On motion of Mr. Brooke, said bill was laid on the table.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

Mr. President—The House of Representatives have passed a bill to be entitled an act to amend an act concerning coroners, passed June 13th, 1822;

In which I am instructed to desire the concurrence of the Senate.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

Mr. President—The Speaker of the House of Representative has signed bills of the following titles, viz:

An act authorizing the Auditor of Public Accounts to settle the claim of Robert Josselyn, for printing done for the State of Mississippi, during the years 1842 and 1843;

And act to levy a tax on all the internal improvement lands lying within the county of Bolivar, and the lands owned by the State in the counties of Washington and Issaquena, for the purpose of constructing a levee on the Mississippi river in said county of Bolivar;

An act to locate, permanently, the seat of justice of Monroe county;

An act for the relief of Joseph A. Williamson, jr.;

An act to repeal the first section of an act entitled an act to amend the road laws for the county of Monroe, approved February 23d, 1848;

Which I am instructed to present to the Senate for the signature of the President.

The House of Representatives have passed a bill to be entitled an an act supplemental to an act entitled an act to incorporate the Yazoo and Big Black Plank Road Company, and for other purposes, approved February 8th, 1850;

In which I am instructed to desire the concurrence of the Senate.

Mr. Cannon, by leave, called up a bill to be entitled an act to amend an act entitled an act to extend the corporate limits of the town of Columbus, and for other purposes, approved 27th Feb., 1836, which was read the first time.

On motion of Mr. Cannon, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Cannon, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Brooke asked and obtained leave to introduce a bill to be entitled, an act to authorize the board of police of Sunflower county to levey a tax on internal improvement lands, which was read the first time.

Mr. Brooke moved that the rule be suspended, in order that the bill might be read a second time; which was lost.

Mr. White, by leave, called up a bill to be entitled an act to amend an act entitled an act to establish and incorporate the town of Yazoo city, approved 3d of March, 1846.

On motion of Mr. White, the amendment of the House to said bill was concurred in.

Mr. Sharkey asked and obtained leave to introduce a bill to be entitled an act to amend the laws in relation to executors *de son tort*, which was read the first time.

On motion of Mr. Sharkey, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Sharkey, the bill was considered as engrossed, read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Pettus asked and obtained leave to introduce a bill, to be entitled an act to incorporate the Kemper Iron Works Company, which was read the first time.

On motion of Mr. Pettus, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Pettus, the rule was further suspended, said bill considered as engrossed, read the third time, and passed.

Mr. Singleton, from the standing committee on Propositions and Grievances, made the following report, to-wit:

Mr. President—The standing committee on Propositions and Grievances, to whom was referred the petition of Vines Collier and Wm. Carter, praying the Legislature to refund to them certain taxes heretofore paid by them to the sheriff of Jefferson county, upon negroes sold by them, have had the same under consideration, and are unanimously of the opinion that the prayer of the petitioners ought not to be granted. The petition itself shows that two and a half per centum on the amount of sales of negroes is all that has been levied and collected from them, by the provisions of the act of 1846, authorizing the sale of slaves in this State, if sold by a trader with no fixed abode in any county in the State, said sales are to be taxed two and a half per cent. There is nothing in said petition showing that they have any fixed abode in any county of this State, and hence your committee are of the opinion that there has been no improper assessment of taxes collected from them.

On motion of Mr. Singleton, the report was received and agreed to.

Mr. Singleton, from the committee on Propositions and Grievances, made the following report, to-wit:

Mr. President—The standing committee on Propositions and Grievances, to whom was referred the petition of McDonald, praying the Legislature to relinquish to her the proceeds of the sale of certain escheated property of Diego Perry, deceased, have had the same under consideration, and have instructed me to report that in their opinion the prayer ought not to be granted.

On motion of Mr. Singleton, the report was received and agreed to.

Mr. Tait, by leave, called up the bill to be entitled, an act to provide for the appointment, in certain cases, of guardian for minor children, whose father is living, which was read the third time and lost.

The Senate proceeded to the consideration of the orders of the day, a bill to be entitled, an act to amend the laws of this State in relation to appeals taken from the judgments rendered in justices' courts, was read the first time.

On motion of Mr. Stone, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Stone, the bill was referred to a select committee of three.

Messrs. Stone, Davis, and Singleton were appointed said committee.

Mr. Beene, from the committee on Engrossed Bills, made the following report, to-wit:

Mr. President—The committee on Engrossed Bills, have examined bills of the following titles, to-wit:

A bill to be entitled, an act to amend an act, entitled, an act to incorporate the town of Pass Christian, passed the 21st day of February, 1848;

A bill to be entitled, an act to provide for the sale of the 500,000 acres of land, donated by the Congress of the United States for purposes of internal improvement, and have found the same correctly engrossed.

Mr. Berry, from the standing committee on Enrolled Bills, made the following report, to-wit:

Mr. President—The joint standing committee on Enrolled Bills have this day presented to his Excellency the Governor, for his approval and signature, bills and memorials of the following titles, to-wit:

An act to incorporate Eudocia Female College, in the town of Black Hawk, Carroll county;

An act to amend an act entitled, an act to incorporate the town of Kosciusko, in the county of Attala;

A memorial to Congress to grant lands, and to make mail contracts and contracts for military transportation, in aid of the rail-road communication between Washington City and the Mississippi river, at Vicksburg;

A memorial of the Legislature of the State of Mississippi, to the Congress of the United States, praying a change in the system of transporting the mail, and the establishment of stage routes in this State;

A memorial to the Congress of the United States relating to a stage route from Jackson to Baton Rouge;

A resolution to establish a Light-house on the sea coast of the State of Mississippi;

And have, also, deposited in the office of the Secretary of State, without the signature of the Governor, a bill of the following title, to-wit:

An act to change the name of Mrs. Judith Edwards to that of Mrs. Judith Harrison;

The Senate proceeded to the consideration of the orders of the day, a bill to be entitled an act to provide for the sale of the 500,000 acres of land donated to the State of Mississippi by the Congress of the United States, for purposes of internal improvement, and to amend an act with the same title, approved February 23d, 1848, was read the second time.

On motion of Mr. Bell, the Senate resolved itself, forthwith, into committee of the whole, on the bill under consideration; Mr. Talliaferro in the Chair, and after some time spent therein, the committee rose, and Mr. Talliaferro reported said bill back with an amendment, and recommended its passage.

On motion of Mr. Talliaferro, said report was received and agreed to.

On motion of Mr. Cannon, the rule was suspended, and the bill

as amended, considered as engrossed, read the third time and passed.

Mr. Bell called for the ayes and nays thereon, which are as follows:

AYES—Mr. President, Messrs. Alcorn, Brooke, Beene, Catching, Cannon, Drane, Davis, Golladay, Gilleland, Hodges, Hughes, Kennedy, McAfee, Pettus, Ramsay, Singleton, Stone, Stewart, Sharkey, Torrey, Tait, and White—23.

NAYS—Messrs. Bell, Berry, Carter, Greer, Reynolds, Talliaferro, and Thompson—7.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act to incorporte the Gainsville Turnpike Company, was read the first time.

On motion of Mr. Ramsay, the rule was suspended, and the bill read the second time forthwith by title.

On motion of Mr. Ramsay, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act to enable Telemachus S. Wyatt to settle and compromise with the heirs of James Scott, deceased, was read the first time.

A bill to be entitled, an act permanently to locate the seat of justice of Harrison county, and for other purposes, was read the first time.

On motion of Mr. Ramsay, the rule was suspended, and the bill read the second time.

On motion of Mr. Ramsay, said bill was referred to a select committee of three.

Messrs. Ramsay, McDugald, and Drane were appointed said committee.

A bill to be entitled, an act to incorporate the town of Oakland, in the county of Chickasaw, was read the first time.

On motion of Mr. Cannon, the rule was suspended, and the bill read the second time forthwith by title.

On motion of Mr. Cannon, the rule was further suspended, the said bill read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Brooke called up a bill to be entitled, an act to enable Telemachus S. Wyatt to settle and compromise with the heirs of Jas. Scott, deceased, which was read the second time.

On motion of Mr. Brooke, the rule was suspended, said bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act to incorporate the Hinds County Manufacturing Company, was read the first time.

On motion of Mr. Gilleland, the rule was suspended, and the bill read the second time forthwith by title.

On motion of Mr. Cannon, rule was further suspended, said bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act regulating and defining the powers of Commissioners of the Homochitto river, was read the first time.

On motion of Mr. Stewart the rule was suspended, and the bill read the second time forthwith by title.

On motion of Mr. Stewart, the rule was further suspended, and the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act to incorporate the Cold Water and Hickahaly Turnpike Company, was read the first time.

On motion of Mr. Tait, the rule was suspended, and the bill read the second time forthwith by title.

On motion of Mr. Tait, the rule was further suspended, said bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act to prescribe the time of holding the regular terms of the police court of Desoto county, was read the first time.

On motion of Mr. Tate, the rule was suspended, and the bill read the second time forthwith by title.

On motion of Mr. Tate, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act to change the time of holding the circuit court of the third judicial district of the State, and for other purpose, was read the first time.

On motion of Mr. Sharkey, the rule was suspended, and the bill read the second time forthwith by title.

On motion of Mr. Sharkey, the rule was further suspended, and the bill read the third time and passed.

A bill to be entitled an act to legalize all sales of the 16th sections in Copiah, Sunflower, Coahoma, and Hancock counties, was read the first time.

On motion of Mr. Gilleland, ths rule was suspended, and the bill read the second time forthwith by title.

On motion of Mr. Carter, the rule was further suspended, and the bill read the third time and passed.

Ordered, That the title thereof be as stated.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to-wit:

Mr. President—The House of Representatives, have passed a Senate bill with the following title, to-wit:

A bill to be entitled, an act to provide for the purchase of additional machinery for the manufacture of cotton and wool in the penitentiary, and for other purposes.

And have made sundry amendments thereto, in which I am instructed to desire the concurrence of the Senate.

A bill to be entitled, an act concerning costs of prosecution of slaves, for minor offences, was read the first time.

On motion of Mr. Stewart, the rule was suspended and the bill read the second time by title.

On motion of Mr. Cannon, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act to repeal an act, entitled, an act to amend an act entitled an act to establish a system of common schools, and for othor purposes, approved March 4, 1846—approved March 4, 1848, so far as said act applies to the county of Adams, and for other purposes, was read the first time.

On motion of Mr. Stewart, the rule was suspended, the bill read the second time by title,

On motion of Mr. Stewart, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act to authorize the ranger of Covington county to receive all claims against said county for strays sold by him, and for other purposes, was read the first time.

On motion of Mr. McAfee, the rule was suspended, the bill read the second time by title.

On motion of Mr. McAfee, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act to incorporate Enterprize Bridge Company, in the county of Clarke, was read the first time.

On motion of Mr. McDugald, the rule was suspended, the bill read the second time by title.

On motion of Mr. McDugald, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act for the distribution of the public State Papers, Census Returns, Statistics, &c., was read the first time.

On motion of Mr. Cannon, said bill was laid on the table.

A bill to be entitled an act to repeal an act, entitled, an act prescribing the duties of county treasurers, approved Feb. 25, 1842, so far as the same relates to the county of Adams, was read the first time.

On motion of Mr. Stewart, the rule was suspended, and said bill read the second time forthwith by title.

On motion of Mr. Stewart, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act to amend an act, entitled, an act to

incorporate the town of Decatur, in the county of Newton, was read the first time.

On motion of Mr. Carter, the rule was suspended, and the bill read the second time forthwith by title.

On motion of Mr. Carter, the rule was further suspended, the the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act in relation to the 16th sections in Noxubee and Coahoma counties,

On motion of Mr. Hughes, the rule was suspended, and the bill read the second time forthwith by title.

On the motion of Mr. Hughes, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to protect the common school and three per cent. funds, in the State of Mississippi, was read the first time.

On motion of Mr. Carter, the rule was suspended, the bill read the second time by title.

On motion of Mr. Stone, the bill was laid on the table.

A bill to be entitled, an act to change the name of Richard Van Buren Holland, was read the first time.

On motion of Mr. Greer, the rule was suspended, the bill read a second time by title.

On motion of Mr. Greer, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act to authorize John C. Hudson to make a turnpike road in the county of Tunica, was read.

On motion of Mr. Tait, the House amendment to said bill was concurred in.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to-wit:

Mr. President—The House of Representatives have passed a bill to be entitled, an act for the relief of purchasers at tax sales.

In which I am instructed to desire the concurrence of the Senate.

A bill to be entitled, an act to amend the attachment law, and for other purposes, was read the first time.

On motion of Mr. Brooke, the rule was suspended, the bill read the second time by title.

Mr. Brooke offered the following amendment, viz:

Sec. 2. *Be it further enacted*, That hereafter it shall be lawful for any defendant, in attachment by plea in abatement to controvert the facts set forth in the affidavit on which such attachment has issued, and if on an issue made thereon, the said defendant succeeds, such attachment shall be dismissed at the cost of the plaintiff; which was adopted.

On motion of Mr. Brooke, said amendment was considered as engrossed, and the bill, as amended, read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act supplentary to an act to secure to owners of slaves, executed by sentence of law, compensation for the same, passed Feb. 18, 1846, was read the first time.

On motion of Mr. Berry, the rule was suspended, and the bill read the second time by title.

Mr. Cannon offered the following amendment, viz:

Which finding shall be re-entered on the record, and certified to the auditor, which shall be his authority for drawing his warrant.

Mr. Sharkey offered the following amendment, viz:

Be it further enacted, That it shall not be necessary to allege in the indictment, the name of the owner of such slave or slaves.

On motion of Mr. Berry, said bill with amendments, was referred to the committee on the Judiciary.

On motion of Mr. Brooke, three additional members were added to the committee on the Judiciary.

Messrs. Talliaferro, Sharkey, and ——, were appointed in pursuance of said motion.

Mr. Alcorn, from the committee on Internal Improvements, made the following report, viz:

Mr. President—The joint standing committee on Internal Improvements, to whom was referred a bill to provide for the construction of a levee, for the protection of the State and School Lands, have had the same under consideration, and have instructed me to report the following as substitute for the same, and recommend its passage.

Which was read.

Mr. Alcorn moved that said report be received and agreed to.

Mr. Bell called for a division of the question.

The question was first taken on receiving said report, which was carried.

The question was then taken on agreeing to said report, which was carried, and the bill therein reported, to be entitled, an act to provide for the construction of a levee in the counties of Desoto, Tunica, and Coahoma, for the protection of the State and School Lands, was read the first time.

On motion of Mr. Alcorn, the rule was suspended, and the bill read the second time forthwith by title.

On motion of Mr. Alcorn, said bill was made the special order of the day for Monday next, at 11 o'clock, in committee of the whole.

A bill to be entitled, an act in relation to appeals and writs of error, was read the first time.

Mr. Gilleland move that the rule be suspended, in order that the bill might be read the second time; which was lost.

A bill to be entitled an act regulating the rate of license to sell vinous and spiritous liquors in the town of Monticello and county of Lawrence, and for other purposes, was read the first time.

On motion of Mr. Stone, the rule was suspended and the bill read the second time by title.

On motion of Mr. Stone, said bill was referred to a select committee of three.

Messrs. Stone, Singleton and Thompson were appointed said committee.

A bill to be entitled an act to change the name of Roetta Victoria Roberts to Roetta Victoria Davis, was read the first time.

On motion of Mr. Thompson, the rule was suspended and the bill read the second time by title.

On motion of Mr. Thompson, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to incorporate the Salem High School Association, in the county of Greene, was read the first time.

On motion of Mr. McAfee, the rule was suspended and the bill read the second time by title.

On motion of Mr. Carter, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

On motion of Mr. Carter, the Senate took a recess until half-past three o'clock, P. M.

HALF-PAST THREE O'CLOCK, P. M.

The recess having expired, the President called the Senate to order.

The Senate resumed the consideration of the orders of the day:

A bill to be entitled an act to change the name of Thomas Jesse Standifer, and for other purposes, was read the first time.

On motion of Mr. Thompson, the rule was suspended and the bill read the second time, forthwith, by title.

On motion of Mr. Thompson, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to incorporate the Gulf and Ship Island Railroad Company, was read the first time.

On motion of Mr. Alcorn, the rule was suspended and the bill read the second time, forthwith, by title.

On motion of Mr. Alcorn, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to change the name of James Owen to that of Robert Burns, was read the first time.

On motion of Mr. Carter, the rule was suspended and the bill read the second time by title.

On motion of Mr. Carter, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to incorporate the town of Westville, in Simpson county, was read the first time.

On motion of Mr. Catching, the rule was suspended and the bill read the second time, forthwith, by title.

On motion of Mr. Catching, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act for the benefit of the Macon Female Institute, the Macon Academy, and for the promotion of education, was read the first time.

On motion of Mr. Hughes, the rule was suspended and the bill read the second time, forthwith, by title.

On motion of Mr. Hughes, the rule was further suspended, said bill read a third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to change the time of holding the probate court of Neshoba county, was read the first time.

On motion of Mr. Pettus, the rule was suspended and the bill read the second time, forthwith, by title.

On motion of Mr. Pettus, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to amend an act entitled an act to incorporate the Mobile and Ohio Railroad Company, approved February 17th, 1848, was read the first time.

On motion of Mr. Hughes, the rule was suspended and the bill read the second time, forthwith, by title.

On motion of Mr. Hughes, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to incorporate the Memphis and Charleston Railroad Company, was read the first time.

On motion of Mr. Greer, the rule was suspended and the bill read the second time by title.

On motion of Mr. Greer, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to extend to the counties of Monroe and Rankin the provisions of an act entitled an act to repeal an act to establish a system of common schools, and for other purposes, approved March 4th, 1846, so far as the same relates to the coun-

ties of Noxubee, Lowndes, Yalobusha, Winston, Covington, Jefferson, Neshoba, Scott, Newton, Madison, Bolivar, Carroll, Sunflower, Tallahatchie, Claiborne and Kemper, approved 4th of March, 1848, was read the first time.

On motion of Mr. McAfee, the rule was suspended and the bill read a second time, forthwith, by title.

On motion of Mr. McAfee, the rule was further suspended and the bill read a third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to regulate the practice of the probate courts in the counties of Rankin, Leake, Neshoba, Scott, Jones, Smith, Newton, Franklin, Tishemingo, Wayne, Tippah and Attala, was read the first time.

On motion of Mr. McAfee, the rule was suspended and the bill read the second time, forthwith, by title.

Mr. Catching moved to amend by inserting the county of Copiah.

Mr. Brooke moved to amend the amendment by inserting the county of Holmes.

The vote was first taken on the amendment to the amendment; which was decided in the negative.

The vote was then taken on the amendment; which was decided in the negative.

On motion of Mr. Pettus, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to increase the regular terms of the probate court in the county of Jones, was read the first time.

On motion of Mr. Carter, the rule was suspended and the bill read the second time, forthwith, by title.

On motion of Mr. Carter, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act for the relief of Adam C. Snyder, was read the first time.

On motion of Mr. Torrey, the rule was suspended and the bill read the second time, forthwith, by title.

On motion of Mr. Torrey, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to incorporate the fire department of the town of Columbus, Mississippi, was read the first time.

On motion of Mr. Cannon, the rule was suspended and the bill read the second time, forthwith, by title.

On the further motion of Mr. Cannon, the rule was suspended and the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to amend an act entitled an act to incorporate the Holly Springs Railroad Company, approved February, 1848, was read the first time.

On motion of Mr. Greer, the rule was suspended and the bill read the second time, forthwith, by title.

On the further motion of Mr. Greer, the rule was further suspended, said bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to amend an act entitled an act to establish a system of common schools, and for other purposes, approved March 4th, 1846, so far as the same relates to the county of Simpson, was read the first time.

On motion of Mr. Catching, the rule was suspended and the bill read the second time, forthwith, by title.

On motion of Mr. Catching, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to incorporate the town of New Albany, in the county of Pontotoc, was read the first time.

On motion of Mr. Bell, the rule was suspended and the bill read the second time, forthwith, by title.

On the further motion of Mr. Bell, the rule was further suspended, said bill read the third time and passed.

Ordered, That the title be as stated.

A bill to be entitled an act to allow the sale of spiritous liquors without license, for certain purposes, was read the first time.

On motion of Mr. Cannon, the rule suspended and the bill read the second time by title.

On motion of Mr. Taliaferro, said bill was laid on the table.

A bill to be entitled an act in relation to coroners' inquests, was read the first time.

On motion of Mr. Cannon, the rule was suspended and the bill read the second time by title.

On motion of Mr. Thompson, the rule was further suspended and the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to declare Chiwappa creek a navigable stream, was read the first time.

On motion of Mr. Carter, the rule was suspended and the bill read the second time by title.

On motion of Mr. Carter, said bill was laid on the table.

A bill to be entitled an act to amend an act entitled an act to incorporate the town of Holmesville, in Pike county, passed January 24th, 1820, was read the first time.

On motion of Mr. Davis, the rule was suspended and the bill read the second time by title.

On motion of Mr. Davis, the rule was further suspended and the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to repeal the fifth section of an act

requiring the treasurerers of Pontotoc and Lafayette counties to loan the school fund of said counties; which was read the first time.

On motion of Mr. Bell, the rule was suspended and the bill read the second time by title.

On motion of Mr. Bell, the rule was further suspended and the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to regulate the appointment of overseers of roads, in the county of Panola, was read the first time.

On motion of Mr. Alcorn, the rule was suspended and the bill read the second time by title.

On motion of Mr. Alcorn, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act for the relief of Hon. Adam Bullock, judge of probate of Adams county, and others, was read the first time.

On motion of Mr. Stewart, the rule was suspended and the bill read the second time by title.

On motion of Mr. Stewart, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to authorize the boards of police in the counties of Issaquena and Franklin to assign hands to work on navigable streams, was read the first time.

On motion of Mr. White, the rule was suspended and the bill read the second time by title.

On motion of Mr. White, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act further to regulate the office of the Treasury of the State of Mississippi, and for other purposes, was read the first time.

On motion of Mr. Stewart, the rule was suspended and the bill read the second time by title.

On motion of Mr. Stewart, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to amend an act entitled an act to extend the railroad beyond Jackson, was read the first time.

On motion of Mr. Carter, the rule was suspended and the bill read the second time by title.

On motion of Mr. Pettus, said bill was laid on the table.

The following message was received from his Excellency the Governor, through his Private Secretary, Mr. McDonald, to wit:

Mr. President—His Excellency, the Governor, has this day approved and signed a bill of the following title, to wit:

An act to reduce into one the several acts heretofore passed in relation to sixteenth sections and common schools, so far as relates to the county of Hinds;

A bill to be entitled an act supplemental to an act entitled an act to establish common schools in the county of Holmes, was read the first time.

On motion of Mr. Brooke, the rule was suspended and the bill read the second time by title.

On motion of Mr. Brooke, the rule was further suspended and the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to authorize the State Commissioner to sell the lands belonging to the Seminary Fund, lying in the different counties of this State, was read the first time.

On motion of Mr. Davis, the rule was suspended and the bill read the second time by title.

A bill to be entitled an act to detach from the county of Washington, and add to the county of Yazoo, a portion of the former county, was read the first time.

On motion of Mr. White, the rule was suspended and the bill read the second time by title.

On the further motion of Mr. White, the rule was further suspended and the bill read the third time and passed.

Ordered, That the title thereof be as stated.

On motion of Mr. Cannon, the Senate adjourned until 9 o'clock to-morrow morning.

SATURDAY, March 2, 1850.

The Senate met pursuant to adjournment.

The journal of yesterday was read.

Mr. Stewart presented the claim of Richard Elward, of Natchez, which, on motion of Mr. Stewart, was referred to the committee on Claims.

Mr. Carter asked and obtained leave to introduce a bill to be entitled an act to regulate the practice of the Probate courts in this State; which was read the first time.

On motion of Mr. Carter, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Cannon, said bill was referred to a select committee of three.

Messrs. Carter, Catching and Davis were appointed said committee.

Mr. Cannon asked and obtained leave to introduce a bill to be

entitled an act to authorise the board of police to designate the place where convicts shall be executed in certain cases, which was read the first time.

On motion of Mr. Cannon, said bill was referred to a select committee of three.

Messrs. Cannon, Torrey and Drane were appointed said committee.

Mr. Sharkey, from a select committee, made the following report, to wit:

Mr. President—The select committee, to whom was referred a bill to be entitled an act to regulate writs of error and appeals, have had the same under consideration, and have instructed me to report said bill back, and ask to be discharged from the further consideration of the subject.

Mr. Cathing asked and obtained leave to introduce a bill to be entitled an act to reduce the fees of the county treasurer of Copiah county, as escheator, which was read the first time.

On motion of Mr. Catching, the rule was suspended, and the bill read a second time by title.

On motion of Mr. Catching, the rule was further suspended, the bill considered as engrossed, read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Bell called up a bill to be entitled an act to declare Chiwappa creek a navigable stream, which was read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Cannon, from a select committee, to whom was referred a bill to be entitled an act to authorise the boards of police to designate the place of execution of convicts in certain cases, reported said bill back with the following amendment, viz: "That this act take effect with convicts now under sentence."

On motion of Mr. Cannon, the report was received and agreed to.

On motion of Mr. Cannon, the rule was further suspended, and the bill, as amended, considered as engrossed, read the third time and passed.

Mr. Berry, from the committee on Enrolled Bills, made the following report, to wit:

Mr. President—The joint standing committee on Enrolled Bills, have this day examined bills of the following titles, viz:

An act to incorporathe the Hinds County Manufacturing company;

An act to legalise all sales of the 16th sections, in Copiah, Sunflower, Coahoma and Hernando counties, Mississippi;

And act to enable Telemacus S. Wyatt to settle and compromise with the heirs of James Scott, deceased;

An act for the relief of E. C. Egleston, deputy sheriff of Lowndes county;

An act to incorporate the Coldwater and Hickahaly Turnpike Road company;

An act to prescribe the times of holding the regular terms of the Probate court of Desoto county;

An act regulating and defining the powers of the commissioners of the Homochitto river;

An act to amend an act entitled an act to extend the corporate limits of the town of Columbus, and for other purposes, approved 27th of February, 1836;

An act to incorporate the town of Okolona, in the county of Chickasaw;

An act to incorporate the Enterprize Bridge company, in the county of Clarke;

An act to amend an act entitled an act to incorporate the Holly Springs Railroad company, approved February, 1848;

An act to change the name of Richard Van Buren Holland;

An act to amend an act entitled an act to establish a system of common schools, and for other purposes, approved March 4th, 1846, so far as the same relates to the county of Simpson;

An act to change the name of Thomas Jesse Standifer, and for other purposes;

An act to change the time of holding the Probate court of Neshoba county;

An act to extend to the counties of Monroe and Rankin the provisions of an act entitled an act to repeal an act entitled an act to establish a system of common schools, and for other purposes, approved March 4th, 1846;

An act to change the name of James Owens to that of Robert Burns;

An act to change the name of Roetta Victoria Roberts, to that of Roetta Victoria Davis;

An act to amend an act entitled an act to incorporate the town of Decatur, in the county of Newton;

An act to repeal the fifth section of an act, approved March 1st, 1848, entitled an act requiring the treasurers of Pontotoc and Lafayette counties to loan the school funds of said counties;

An act to for the relief of Aaron C. Snyder;

An act in relation to coroner's inquests;

An act to authorise the ranger of Covington county to receive all claims against said county in payment for strays sold by him, and for other purposes;

An act to authorise the boards of police in the counties of Issaquena and Franklin, to assign hands to work on navigable streams;

An act concerning costs of prosecution of slaves for minor offences;

An act to regulate the appointment of overseers of roads in the county of Panola;

An act to amend an act entitled an act to incorporate the Ohio and Mobile Railroad company, approved February 19, 1848;

An act for the benefit of the Macon Female Institute, the Male Academy, and for the promotion of education;

An act for the relief of the Hon. R. Bullock;

An act to repeal an act entitled an act prescribing the duties of county treasurer, approved February 25th, 1842, so far as the same relates to the county of Adams;

An act to incorporate the fire department of the town of Columbus, Mississippi;

An act to change the time of holding the Circuit courts of the 3d Judicial District of this State, and for other purposes;

An act to amend an act entitled an act to incorporate the town of Holmesville, in Pike county, passed January 24th, 1820;

An act further to regulate the office of the Treasury of the State of Mississippi, and for other purposes;

An act to incorporate the Salem High School Association, in the county of Greene;

An act to incorporate the Gainesville Railroad company;

An act to authorise John C. Hudson to make a turnpike road in the county of Tunica;

An act to amend an act entitled an act to establish and incorporate the town of Yazoo City, approved 3d March, 1846.

And have found the same correctly enrolled.

Mr. Pettus called up a bill to be entitled an act to extend the Railroad beyond Jackson.

Mr. Brooke offered the following amendment, viz:

Amend, by striking out in the fourth section, the following words, viz: Taking the report of the joint select committee raised at the present session to examine the books, accounts, correspondence, &c., of said Commissioners, as the basis of said settlement

Which was lost.

The bill was then read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Talliaferro asked for the consideration of the motion of Mr. Alcorn, made on a previous day, for the reconsideration of a bill to be entitled an act authorise the Judges of the High Court of Errors and Appeals to meet at Oxford and hear the argument of causes; which was granted.

The question then being, "Will the Senate reconsider said bill?" it was decided in the affirmative.

Mr. Kennedy moved a call of the Senate, which was sustained, and the Secretary thereupon proceeded with the call.

Mr. Drane moved to dispense with the further call, which was refused.

The Secretary having gone through with the call, the question was taken, "Shall the bill be ordered to engrossment?" which was decided in the affirmative.

Mr. Drane called for the ayes and nays thereon, which are as follows, to wit:

AYES—Mr. President, Messrs. Brooke, Bell, Berry, Beene, Catching, Greer, Pettus, Reynolds, Stone, Stewart, Sharkey, Talliaferro, Thompson, Tait and White—16.

NAYS—Messrs. Alcorn, Cannon, Carter, Drane, Davis, Golladay, Gilleland, Hodges, Hughes, Kennedy, McDugald, McAfee, Singleton and Torrey—15.

Mr. Carter, from a select committee, made the following report, to wit:

MR. PRESIDENT—The special committee, to whom was referred a bill to be entitled an act to regulate the practice of Probate courts of this State, have had the same under consideration, and have made an amendment thereto,and have instructed me to report the bill back to the Senate, and recommend its passage.

Which, on motion of Mr. Carter, was received and agreed to.

On motion of Carter, the rule was suspended, said amendment considered as engrossed, and the bill therein reported, to be entitled an act to regulate the practice of the Probate courts in this State, was read the third time and passed.

Ordered, that the title thereof be as stated.

The Senate proceeded to the consideration of the orders of the day.

A bill to be entitled an act to authorise the treasurer of Yalobusha county to loan school funds, and for other purposes, was read the first time.

On motion of Mr. Golladay, said bill was laid on the table.

A bill to be entitled an act relative to the minutes of the Probate court of the county of Claiborne, was read the first time.

On motion of Mr. Torrey, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Torrey, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Berry, from the committee on Enrolled Bills, made the following report, viz:

MR. PRESIDENT—The joint standing committee on Enrolled Bills, have this day presented to his Excellency the Governor, for his approval and signature, bills of the following titles, viz:

An act to repeal the first section of an act entitled an act to amend the road laws for the county of Monroe, approved Feb. 23, 1848;

An act to levy a tax on all the internal improvement lands lying in the county of Bolivar, and the lands owned by the State in the counties of Washington and Issaquena, for the purpose of constructing a levee on the Mississippi River, in said county of Bolivar;

An act to increase the common school fund, in the county of Tishemingo;

An act to authorize the Auditor of Public Accounts to settle the claim of Robert Josselyn, for printing done for the State of Mississippi, during the years 1842 and 1843;

An act for the relief of Joseph A. Williamson, Jr.;

An act to locate permanently the seat of justice of Monroe county;

A bill to be entitled, an act to incorporate the Yalobusha County Manufacturing Company, was read the first time.

On motion of Mr. Golladay, the rule was suspended, and the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act for the relief of the heirs of Richard Ross, deceased, was read the first time.

On motion of Mr. Gilleland, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Gilleland, the rule was further suspended, and the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act to legalize the transcribing of the records of the circuit court of Yalobusha county, was read the first time.

On motion of Mr. Golladay, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Gilleland, the rule was further suspended, and the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act to incorporate the Grenada Mutual Insurance Company, was read the first time.

A bill to be entitled, an act to amend an act to provide for and establish common schools in the counties of Hinds, Holmes, Tunica, Jefferson, Wilkinson, Lawrence, and Amite, was read the first time.

On motion of Mr. Stewart the rule was suspended, and the bill read the second time by title.

On motion of Mr. Stewart, the rule was further suspended, and the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act for the benefit of the sheriff of Hinds county, and for other purposes, was read the first time.

On motion of Mr. Stewart, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Stewart, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act to repeal the levee laws of Warren county, so far as the same are now in force, south of the city of Vicksburg, to the southern boundary of said county, on the Mississippi river, was read the first time.

On motion of Mr. Sharkey, the rule was suspended, and the bill read the second time forthwith by title.

Mr. Sharkey offered the following amendment, viz:

Amend by striking out the third section and inserting,

Sec. 3. *Be it further enacted*, That this act shall not take effect unless a majority of the persons owning land on or near said river, and subject to be taxed for the erection, completion, or repairing of said levee shall vote in favor thereof, as hereinafter provided.

Sec. 4. *Be it further enacted*, That for the purpose of ascertaining the wishes of the people upon this subject, the president of the board of police shall appoint three freeholders or householders, who shall, on the second Monday of April next, in the town of Warrenton, hold an election; at which election every person owning land, whether in their own right or in behalf of his wife, in that part of the county which has been taxed, or upon which levees have been constructed, or over which the levee passes, shall be entitled to vote, and no other person shall be entitled to vote.

Sec. 5. *Be it further enacted*, That said freeholders or managers of said election shall certify the result thereof to the president of the board of police, which shall be by him filed in the clerk's office; and if a majority of the votes cast, are in favor of this act, then it shall go into effect; but if a majority of the votes cast shall be opposed to the same, then this act shall be inoperative, and the expense of conducting said election shall be paid out of the levee fund of Warren county; and the board of police of said county of Warren shall not levy any additional levee tax, until the election, required by the provisions of this bill, shall be held.

Mr. Pettus moved to lay the bill on the table, which was lost.

The question was then taken on the adoption of the amendment, whereupon said amendment was adopted.

On motion of Mr. Sharkey, said amendment was considered as engrossed, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to-wit:

Mr. President—The House of Representatives have concurred in the first amendment, made by the Senate, to a House bill, entitled an act to confirm to Samuel H. King the privileges granted him by the board of police in Tippah county, on the 11th day of April 1848; and have disagreed to the second amendment made thereto.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to-wit:

Mr. President—The House of Representatives have concurred in the Senate amendment to the House bill, entitled an act to declare Old Town Creek a navigable stream.

The following message was received from his Excellency the Governor, through his private Secretary, Mr. McDonald, to-wit:

MR. PRESIDENT—His Excellency the Governor has this day approved and signed a bill of the following title, to-wit:

An act for the relief of Joseph A. Williamson, Jr.;

An act to increase the Common School Fund, in the county of Tishemingo.

A bill to be entitled, an act to compel persons taking up runaway slaves, to deliver them to their owners, if nearer their residence than the county jail of the county in which said slaves were captured; was read the first time.

On motion of Mr. Carter, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Carter, the rule was further suspended, the the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act to establish a system of Common School, and regulate the leasing of school sections in Washington county, was read the first time.

On motion of Mr. White, the rule was suspended, and the bill read the second time by title.

On motion of Mr. White, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act to amend an act, entitled, an act to legalize the public roads of Coahoma county, was read the first time.

On motion of Mr. Brooke, the rule was suspended, and the bill read the second time by title.

Mr. Alcorn moved to amend, by adding the word "Panola," after "Sunflower," which was adopted.

On motion of Mr. Alcorn, the amendment was considered as engrossed, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act for making ditches in the county of Washington, was read the first time.

On motion of Mr. White, the rule was suspended, and the bill read the second time by title.

Mr. White moved to amend, by adopting "Bolivar, Issaquena, and Yazoo," which was adopted.

On motion of Mr. White, said amendment was considered as engrossed, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act supplemental to an act, entitled, an an act to amend an act, entitled, an act to incorporate the Deer Creek Railroad Company, approved 8th day of Feb., 1850, was read the first time.

On motion of Mr. White, the rule was suspended, and the bill read a second time by title.

On motion of Mr. White, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act to tax all persons trading and retailing Merchandize on Flat-boats or other water craft, on the Mississippi river, within the limits of the county of Tunica, was read the first time.

On motion of Mr. Tait, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Tait, the rule was further suspended, said bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act to repeal an act passed in 1846, to abolish the office of Assessor, and making the sheriff ex-officio the assessor, was read the first time.

On motion of Mr. Stone, the rule was suspended, and the bill read the second time by title.

Mr. Kennedy, from a select committee, made the following report, to-wit:

Mr. President—The select committee to whom was referred a bill to be entitled, an act to repeal an act to establish, in the City of Jackson, a Vaccine Depot and Agency, with a view to the prevention of Small Pox, have had the same under consideration, and have instructed me to report the bill back to the Senate, and recommend that it pass.

On motion of Mr. Kennedy, said report was received and agreed to, and the bill therein reported, to be entitled,

An act to repeal an act to establish, at the City of Jackson, a Vaccine Depot and Agency of the State, with a view to the prevention of Small Pox; was read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Alcorn, from a select committee, reported a bill to be entitled, an act to authorize the voters of Coahoma county to permanently locate their county seat, which report was received and agreed to, and said bill was read the first time.

On motion of Mr. Alcorn, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Alcorn, said bill was ordered to be engrossed.

Mr. Carter, by leave, called up a bill to be entitled, an act to provide for the purchase of additional machinery for the manufacture of cotton and wool in the penitentiary, and for other purposes; with the view of considering the amendments of the House of Representatives thereto, which amendments were read.

Mr. Carter moved to concur in the first amendment to said bill, which was lost.

Mr. Guion moved to disagree to the second amendment to said bill; which motion prevailed.

Mr. Guion moved to disagree to the third amendment to said bill, which also prevailed.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to-wit:

Mr. President—The Speaker of the House of Representatives has signed bills of the following titles, to-wit:

An act to incorporate the Hinds County Manufacturing Company;

An act to legalize all sales of the 16th sections in Copiah, Sunflower, Coahoma, and Hancock counties, Mississippi;

An act to enable Telemacus S. Wyatt to settle and compromise with the heirs of James Scott, deceased;

An act for the relief of E. C. Eggleston, Deputy Sheriff of Lowndes county;

An act to incorporate the Cold Water and Hickahaly Turnpike Company;

An act to prescribe the time of holding the regular terms of the police court of Desoto county;

An act regulating and defining the powers of the Commissioners of the Homochitto river;

An act to amend an act entitled, an act to extend the corporate limits of the town of Columbus, and for other purposes, approved 27th Feb., 1836;

An act to incorporate the town of Oakalona, in the county of Chickasaw;

An act to incorporate Enterprize Bridge Company, in the county of Clarke;

An act to change the name of Richard Van Buren Holland;

An act to repeal an act, entitled, an act to establish a system of Common Schools, and for othor purposes, approved March 4th, 1846, so far as the same relates to the county of Simpson;

An act to change the name of Thomas Jesse Sandifer, and for other purposes;

An act to change the time of holding the Probate Court, of Neshoba county;

An act to extend to the counties of Monroe and Rankin, the provisions of an act entitled an act to repeal an act to establish a system of Common Schools, and for other purposes, approved March 4, 1846;

An act to change the name of James Owen to that of Robert Burns;

An act to change the name of Roetta Victora Roberts to that of Roetta Victora Davis;

An act to amend an act, entitled, an act to incorporate the town of Decatur, in the county of Newton;

An act to increase the regular terms of the Probate Court in the county of Jones;

An act to repeal the fifth section of an act, approved March 1st,

1848, entitled an act requiring the treasurer of Pontotoc and Lafayette counties to loan the School Fund of said counties;

An act for the relief of Adam C. Snyder;

An act in relation to Coroners' inquests;

An act to authorize the Ranger of Covington county to receive all claims against said county for strays sold by him, and for other purposes;

An act to authorize the Board of Police in the counties of Issaquena and Franklin, to assign hands to work on navigable streams;

An act concerning costs of prosecution of Slaves, for minor offences;

An act to regulate the appointment of Overseers of Roads, in the county of Panola;

An act to amend an act, entitled, an act to incorporate the Mobile and Ohio Railroad Company, approved Feb. 17, 1848;

An act for the benefit of the Macon Female Institute, the Male Academy, and for the promotion of Education;

An act for the relief of the Hon. R. Bullock;

An act to repeal an act, entitled, an act prescribing the duties of County Treasurers, approved Feb. 25, 1842, so far as the same relates to the county of Adams;

An act to incorporate the Fire Department of the town of Columbus, Mississippi;

An act to change the time of holding the Circuit Court of the third judicial district of the State, and for other purposes;

An act to amend an act, entitled, an act to incorporate the town of Holmesville, in Pike county, passed Jan. 24, 1820;

An act further to regulate the office of Treasurer of the State of Mississippi, and for other purposes;

An act to incorporate the Salem High School Association, in the county of Greene;

An act to incorporte the Gainesville Railroad Company;

An act to amend an act entitled, an act to establish and incorporate the town of Yazoo City, approved 3d March, 1846;

An act to authorize John C. Hudson to make a Turnpike Road in the county of Tunica;

Which I am instructed to present to the Senate for the signature of the President.

The President signed the bills therein stated.

Mr. Talliaferro asked and obtained leave to introduce a bill to be entitled, an act to loan to the University of Mississippi the distributive share of the proceeds of the sales of public lands, under act of Congress of 1841, for a limited term, which was read the first time.

On motion of Mr. Talliaferro, the rule was suspended, and the bill read the second time forthwith by title.

On motion of Mr. Talliaferro, said bill was referred to a select committee of three.

Messrs. Talliaferro, Alcorn, and Greer were appointed said committee.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to-wit:

MR. PRESIDENT—The House of Representatives have passed Senate bills with the following titles, to-wit:

A bill to be entitled, an act to remove the civil disabilities of Lucinda Mason, a *feme covert*, of Tishemingo county;

A bill to be entitled, an act to incorporate the Hill City Lodge, No. 121, of Free and Accepted Masons, in the City of Vicksburg;

A bill to be entitled an act to remove the civil disabilities of George Washington Lafayette Byrd, a minor of Holmes county;

And have made sundry amendments to each of said bills, and have instructed me to ask the concurrence of the Senate.

On motion of Mr. Carter, the Senate adjourned until Monday morning at 9 o'clock.

MONDAY, MARCH 4, 1850.

The Senate met pursuant to adjournment.

The journal of Saturday was read.

Mr. Beene, from the standing committee on Engrossed Bills, made the following report, to wit:

MR. PRESIDENT—The committee on Engrossed Bills have examined bills of the following titles, to wit:

A bill to be entitled an act to authorize the judges of the High Court of Errors and Appeals to meet at Oxford and hear the argument of causes;

A bill to be entitled an act to authorize the voters of Coahoma county to permanently locate their county seat;

And have found the same correctly engrossed.

Mr. Singleton asked and obtained leave to introduce a bill to be entitled an act for the benefit of the heirs of Robert H. Gill, deceased, late of Leake county; which was read the first time.

On motion of Mr. Singleton, the rule was suspended and the bill read the second time by title.

On motion of Mr. Singleton, the rule was further suspended and the bill read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Brooke asked and obtained leave to introduce a bill to be entitled an act to improve the navigation of Big Black river; which was read the first time.

On motion of Mr. Brooke, the rule was suspended and the bill read the second time by title.

On motion of Mr. Greer, said bill was referred to a select committee of three.

Messrs. Greer, Brooke and Stone were appointed said committee.

Mr. Stone, from a select committee, to whom was referred a bill to be entitled an act to amend the laws of this State in relation to appeals taken from judgments rendered in justices' courts, reported said bill back, with amendments thereto; which amendments are as follows, to wit:

Amend, by striking out the words "fifteen," in the last line but one, in first section, and insert "five." Also, amend by adding additional section fourth:

Sec. 4. *Be it further enacted,* That when, in the opinion of the judges of the circuit court, the appeal bond is insufficient, it shall be his duty, and he is hereby authorized, to order said bond perfected, or take such other security in open court, as he may deem sufficient to satisfy all damages and costs; and, on final judgment of the cause, the clerk of the circuit court shall issue execution thereon, as is now provided for by law.

Which was read, and, on motion of Mr. Stone, said report was received and agreed to, and said amendment was adopted.

Mr. Stone moved that the rule be suspended, the bill, as amended, be considered as engrossed, read the third time, and put upon its passage; which motion was lost.

A message, in writing, was received from his Excellency, the Governor, through his Private Secretary, Mr. McDonald; which was laid on the table.

Mr. Pettus asked and obtained leave to introduce a bill to be entitled an act to authorize the president and board of trustees of township five, range five east, in Rankin county, to make titles to the sixteenth section; which was read the first time.

On motion of Mr. Pettus, the rule was suspended and the bill read the second time by title.

On motion of Mr. Hodges, the rule was further suspended, the bill considered as engrossed, read the third time and passed.

Ordered, That the title thereof be as stated.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

Mr. President—The House of Representatives have passed Senate bills of the following titles, to wit:

A bill to be entitled an act for the relief of Arabella J. Stewart;

A bill to be entitled an act to authorize John Standin to hawk and peddle, free of license, in the county of Tishemingo;

A bill to be entitled an act to extend the time allowed of holding the probate court in Lafayette county;

A bill to be entitled an act to incorporate the Almucha Academy;

A bill to be entitled an act to incorporate the Deer Creek and Mississippi Plank Road Company, and for other purposes;

A bill to be entitled an act for the benefit of Elizabeth Samuel Byrn, a minor, of Noxubee county;

A bill to be entitled an act to change the name of Christopher Lynch Foster, and for other purposes;

A bill to be entitled an act to repeal an act entitled an act to establish a system of common schools, and for other purposes, approved 4th March, 1846, so far as the same applies to township seventeen, range five east, in Warren county;

A bill to be entitled an act to amend an act to incorporate the Canton and Jackson Railroad Company, approved February, 1841, and passed February 7th, 1848;

A bill to be entitled an act to incorporate the town of Camargo, in the county of Monroe;

A bill to be entitled an act to declare Trim Cane a navigable stream.

The House of Representatives have also passed Senate bills with the following titles:

A bill to be entitled an act to incorporate the Lexington and Yazoo River Railroad Company;

A bill to be entitled an act for the benefit of Samuel Reed, a minor, of Tishemingo county;

A bill to be entitled an act to repeal the second section of an act entitled an act to aid the citizens of Vicksburg in building a hospital;

A bill to be entitled an act to incorporate the Panola and Coahoma Plank Road Company;

And have made sundry amendments to said bills, in which I am instructed to desire the concurrence of the Senate.

Mr. Catching presented the claim of William Gibbons; which, on motion of Mr. Catching, was referred to the Committee on Claims.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

Mr. President—The House of Representatives have passed a bill with the following title:

I bill to be entitled an act providing for the election of additional members of Congress, and for other purposes;

In which I am instructed to desire the concurrence of the Senate.

The Senate proceeded to the consideration of the orders of the day:

A resolution of the Legislature of the State of Mississippi, authorizing the Governor to employ an agent to investigate certain claims therein mentioned, was read the first time.

On motion of Mr. Carter, the rule was suspended and the resolution read the second time by title.

On motion of Mr. Kennedy, the rule was further suspended, the resolution read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Berry, from the Committee on Enrolled Bills, made the following report, to wit:

MR. PRESIDENT—The joint standing committee on Enrolled Bills have this day examined bills of the following titles, to wit:

An act to repeal an act entitled an act to amend an act entitled an act to establish a system of common schools, approved March 4th, 1846, approved March 4th, 1848, so far as said act applies to the county of Adams, and for other purposes;

An act to incorporate the town of Westville, in Simpson county;

An act supplemental to an act entitled an act to establish a system of common schools in the county of Holmes;

An act to incorporate the town of New Albany, in the county of Pontotoc;

An act to incorporate the Charleston and Memphis Railroad Company;

An act to declare Old Town Creek a navigable stream;

An act relative to the minutes of the probate court of the county of Claiborne;

An act for the benefit of Richard Ross, deceased;

An act for the benefit of the sheriff of Hinds county, and for other purposes;

An act to declare Chiwappa a navigable stream;

An act to compel persons, taking up runaway slaves, to deliver them to their owners, if nearer their residence than the county jail of the county in which such slaves are captured;

An act to legalize the transcribing of the records of the circuit court of the county of Yalobusha, for the May term, A. D. 1848;

Ac act to authorize the treasurer of Yalobusha county to loan school funds, and for other purposes;

An act to amend an act to provide and establish common schools in the counties of Hinds, Holmes, Tunica, Jefferson, Wilkinson, Lawrence and Amite;

An act in relation to the sixteenth section in Noxubee and Coahoma counties;

An act to incorporate the Yalobusha County Manufacturing Company;

An act to establish a system of common schools, and regulate the leasing of school sections, in Washington county;

And have found the same correctly enrolled.

The Senate again resumed the consideration of the orders of the day:

A bill to be entitled an act to legalize the sale of the sixteenth

sections in the county of Smith and State of Mississippi, was read the first time.

On motion of Mr. Hodges, the rule was suspended and the bill read the second time by title.

Mr. Hodges offered the following amendment to said bill, to wit:

Be it further enacted, That the provisions of this act shall not extend to section sixteen, of township four, range seven east.

Which was read, and on motion of Mr. Hodges, was adopted.

On the further motion of Mr. Hodges, the rule was further suspended, the amendment considered as engrossed, the bill, as amended, read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to establish a system of common schools in the county of Scott, was read the first time.

On motion of Mr. Singleton, the rule was suspended and the bill read the second time by title.

On the further motion of Mr. Singleton, the rule was further suspended, the bill read the third time and and passed.

Ordered, That the title thereof be as stated.

On motion of Mr. Sharkey, the Secretary of the Senate was instructed to recall, from the House of Representatives, a bill to be entitled an act to repeal the levee laws of Warren county, so far as the same are now in force, south of the city of Vicksburg, to the southern boundary of said county, on the Mississippi river, which bill has passed the Senate, and been sent to the House of Representatives.

The Senate again resumed the consideration of the orders of the day:

A bill to be entitled an act repealing the act of the Legislature of Mississippi, approved January 30th, 1844, declaring Strong river a navigable stream, was read the first time.

On motion of Mr. Catching, the rule was suspended and the bill read the second time by title.

On the further motion of Mr. Catching, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to further endow the University of Mississippi, was read the first time.

On motion of Mr. Taliaferro, the rule was suspended and the bill read the second time by title.

On the further motion of Mr. Taliaferro, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to amend an act reducing the fees of certain officers therein named, approved February 10th, 1844, so far as the same relates to the counties of Covington, Wayne, Jones, Clarke, Greene, Jackson, Hancock, Perry, Marion, Washington, Adams, Jefferson and Pike, was read the first time.

On motion of Mr. Davis, the rule was suspended and the bill read the second time by title.

On motion of Mr. McAfee, the counties of Jones and Covington were struck out of said bill.

On motion of Mr. White, the county of Yazoo was stricken out of said bill.

On motion of Mr. Davis, the rule was further suspended, and the bill, as amended, read the third time and passed.

On motion of Mr. White, the vote just taken on the passage of said bill was reconsidered.

On the further motion of Mr. White, said bill was referred to a select committee of three.

Messrs. White, Ramsay and Drane were appointed said committee.

A bill to be entitled an act for the relief of Joseph Tenso, and others, was read the third time and lost.

Mr. Kennedy called for the ayes and nays thereon, which are as follows, to wit:

AYES—Messrs. Alcorn, Brooke, Bell, Beene, Golladay, Pettus, Reynolds and Thompson—8.

NAYS—Mr. President, Messrs. Berry, Catching, Cannon, Carter, Drane, Davis, Gilleland, Greer, Hodges, Hughes, Kennedy, McDugald, McAfee, Ramsay, Singleton, Stewart, Sharkey, Taliaferro, Tait and White—21.

Mr. White, from a select committee, made the following report, to wit:

MR. PRESIDENT—The select committee to whom was referred a bill to be entitled an act to amend an act reducing the fees of certain officers therein named, approved February 10th, 1844, so far as relates to the counties of Covington, Wayne, Jones, Clarke, Greene, Jackson, Hancock, Perry, Marion, Washington, Adams, Jefferson and Pike, have had the same under consideration, and have instructed me to report the bill back and recommend its passage; and that the title be amended by striking out the counties of Coving and Jones, and that Washington be inserted in the body of the bill.

Which was read, and, on motion of Mr. White, was received and agreed to; and the bill therein reported was read the third time, as amended, and passed.

Ordered, That the title thereof be as stated.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

MR. PRESIDENT—The Speaker of the House of Representatives has signed bills of the following titles, to wit:

An act to incorporate the town of Westville, in Simpson county;

An act to repeal an act entitled an act to amend an act entitled an act to establish a system of common schools, approved March 4th, 1846, approved March 4th, 1848, so far as said act applies to the county of Adams, and for other purposes;

An act supplemental to an act entitled an act to establish common schools in the county of Holmes;

An act to incorporate the town of New Albany, in the county of Pontotoc;

An act to incorporate the Charleston and Memphis Railroad Company;

An act to declare Old Town Creek a navigable stream;

An act relative to the minutes of the probate court of the county of Claiborne;

An act for the relief of the heirs of Richard Ross, deceased;

An act for the benefit of the sheriff of Hinds county, and for other purposes;

An act to declare Chiwappa a navigable stream;

An act to compel persons taking runaway slaves to deliver them to their owners, if nearer their residence than the county jail of the county in which such slaves are captured;

An act to legalize the transcribing of the records of the circuit court of the county of Yalobusha, for the May term, A. D. 1848;

An act to authorize the treasurer of Yalobusha county to loan school funds, and for other purposes;

An act to amend an act to provide for and establish common schools in the counties of Hinds, Holmes, Tunica, Jefferson, Wilkinson, Lawrence and Amite;

An act in relation to sixteenth sections in Noxubee and Coahoma counties;

An act to incorporate the Yalobusha Manufacturing Company;

An act to establish a system of common schools, and regulating the leasing of school sections, in Washington county;

An act to regulate the practice in the probate courts in the counties of Rankin, Leake, Neshoba, Jones, Scott, Smith, Newton, Franklin, Tishemingo, Wayne, Tippah and Attala;

Which I am instructed to present to the Senate for the signature of the President.

Mr. Berry, from the committee on Enrolled Bills, made the following report, to wit:

Mr. President—The joint standing committee on Enrolled Bills have this day presented to his Excellency, the Governor, for his approval and signature, the following bills, viz:

An act in relation to coroners' inquests;

An act to change the time of holding the circuit courts of the third judicial district of this State, and for other purposes;

An act to repeal the fifth section of an act, approved March 1st, 1848, entitled an act requiring the treasurers of Pontotoc and Lafayette counties to loan the school funds of said counties;

An act to amend an act entitled an act to incorporate the town of Decatur, in the county of Newton;

An act to increase the regular terms of the probate court in the county of Jones;

An act to extend to the counties of Monroe and Rankin the provisions of an act entitled an act to establish a system of common schools, and for other purposes, approved March 4th, 1846;

An act to change the time of holding the probate court of Neshoba county;

An act to change the name of Thomas Jesse Sandifer, and for other purposes;

An act for the relief of Adam C. Snyder;

An act to incorporate the Enterprize Bridge Company, in the county of Clarke;

An act concerning costs of prosecution of slaves for minor offences;

An act for the relief of E. C. Eggleston, deputy sheriff of Lowndes county;

An act to change the name of James Owens to that of Robert Burns;

An act to enable Telemacus S. Wyatt, to settle and compromise with the heirs of James Scott, deceased;

An act to prescribe the time of holding the regular terms of the police court of De Soto county;

An act for the benefit of the Macon Female Institute, the Male Academy, and for the promotion of education;

An act to regulate the appointment of overseers of roads in the county of Panola;

An act to amend an an act entitled an act to establish and incorporate the town of Yazoo City, approved 3d March, 1846;

An act to authorize the boards of police in the counties of Issaquena and Franklin to assign hands to work on navigable streams;

An act regulating and defining the powers of the commissioners of the Homochitto river;

An act to incorporate the fire department of the town of Columbus, Mississippi;

An act to amend an act entitled an act to incorporate the Mobile and Ohio Railroad Company, approved February 17th, 1848;

An act to legalize all sales of the sixteenth sections in Copiah Sunflower, Coahoma and Hancock counties, Mississippi;

An act to authorize the ranger of Covington county to receive all claims against said county, in payment for strays sold by him, and for other purposes;

An act for the relief of the Hon. R. Bullock;

An act to amend an act entitled an act to extend the corporate limits of the town of Columbus, and for other purposes, approved 27th February, 1836;

An act to amend an act entitled an act to establish a system of common schools, and for other purposes, approved March 4th, 1846, so far as the same relates to the county of Simpson;

An act to repeal an act entitled an act prescribing the duties of

county treasurers, approved February 25th, 1842, so far as the same relates to the county of Adams;

An act to incorporate the town of Okalona, in the county of Chickasaw;

An act to incorporate the Cold Water and Hickahaly Turnpike Company;

An act to incorporate the Gainesville Railroad Company;

An act to amend an act entitled an act to incorporate the Holly Springs Railroad Company, approved February, 1848;

An act to change the name of Roetta Victoria Roberts to that of Roetta Victoria Davis;

An act to amend an act entitled an act to incorporate the town of Holmesville, in Pike county, passed January 24th, 1820;

An act to incorporate the Salem High School Association, in the county of Greene;

An act to authorize John C. Hudson to make a turnpike road in the county of Tunica;

An act further to regulate the office of the Treasury of the State of Mississippi, and for other purposes;

An act to incorporate the Hinds County Manufacturing Company;

An act to change the name of Richard Van Buren Holland.

Mr. Greer, from a select committee, made the following report, to wit:

Mr. President—The select committee to whom was referred a bill to be entitled an act to improve the navigation of Big Black river, beg leave to report the bill back, with the following amendment, which is respectfully submitted:

Section 6. *Be it further enacted*, That the following sums shall be appropriated, in the same manner, out of the Internal Improvement Fund, to the improvement of the rivers hereinafter named, on the condition that the citizens of the counties bordering on said rivers shall raise a like amount, as is provided for in the case of Big Black—viz:

Yalobusha, the sum of three thousand dollars; for Deer creek, three thousand dollars; for Rolling Fork of Deer creek, fifteen hundred dollars; for the Tombigbee, above Aberdeen, ten thousand dollars; for Pearl river, twelve thousand five hundred dollars; for Yazoo river, ten thousand dollars; for Tchula, or Little river, two thousand dollars; and for Tallahatchie river, above the mouth of Cold Water, twelve thousand five hundred dollars—the commissioners to be appointed to superintend the improvement of the rivers herein mentioned, from the counties which may contribute their money for the improvement of said rivers.

Which was read.

Mr. Greer moved that the report be received and agreed to.

Mr. McAfee called for a division.

The vote was first taken on receiving said report; which was decided in the affirmative.

The vote was next taken on agreeing to said report; which was decided in the affirmative.

On motion of Mr. Alcorn, said bill, as amended, was referred to a committee of the whole House, and made the special order of the day for 11 o'clock, A. M., on to-morrow.

The Senate again resumed the consideration of the orders of the day and resolved itself into committee of the whole, on a bill to be entitled an act to provide for the construction of a levee in the counties of De Soto, Tunica and Coahoma, for the protection of the State and school lands, Mr. Cannon in the chair; and, after some time spent therein, the committee rose, and Mr. Cannon reported said bill back to the Senate and recommended its passage.

On motion of Mr. Cannon, the report was received and agreed to.

Mr. White offered the following amendment, to wit:

Provided, That Bolivar county shall, in addition to the amount to be raised by taxation of the internal improvement lands, receive such portion of said internal improvement funds as will place it on an equality with the other counties.

Which was lost.

On motion of Mr. Alcorn, the rule was suspended, the bill considered as engrossed, read the third time and passed.

Mr. Bell call for the ayes and nays thereon, which are as follows, to wit:

AYES—Mr. President, Messrs. Alcorn, Brooke, Cannon, Carter, Drane, Davis, Golladay, Gilleland, Hodges, McAfee, Pettus, Ramsay, Reynolds, Stone, Stewart, Sharkey, Torrey, Taliaferro Thompson Tait and White—22.

NAYS—Messrs. Bell, Berry, Beene, Catching, Hughes, McDugald and Singleton—8.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act to prohibit the sale of Brandy, Rum, Gin, and Whiskey, within four miles of the Court-house of Harrison county, located in Mississippi City, in said county; was read the first time.

On motion of Mr. Ramsay, the rule was suspended, and the bill read the second time by title.

Mr. McDugald offered the following amendment to said bill, to-wit:

Amend section first, by inserting after the word "whiskey," "any vinous, malt liquor, or cider," which was lost.

On motion of Mr. Ramsay, the rule was further suspended, the bill considered as engrossed, read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act amendatory of the laws in relation to the condemnation of Timber for building and repairing Bridges, was read the third time.

On motion of Mr. Berry, said bill was referred to a select committee of three.

Messrs. Thompson, Beene, and Hodges were appointed said committee.

A bill to be entitled, an act to amend the laws in relation to crimes and misdemeanors, was read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act to regulate appeals and writs of error from the probate courts of this State, when taken or prosecuted by executors or administrators, was read the third time.

On motion of Mr. Stone, said bill was laid on the table.

A bill to be entitled, an act to limit liens of judgments in this State, was read the third time.

On motion of Mr. Pettus, said bill was indefinitely postponed.

A bill to be entitled an act to amend the laws relating to the estates of decedents and executors, administrators, and guardians, was read the third time.

On motion of Mr. Singleton, said bill was indefinitely postponed.

A bill to be entitled, an act in relation to suits against infants under the ages of fourteen years, was read the third time.

Mr. Carter moved to lay said bill on the table, which was lost.

The vote was then taken on the passage of the bill.

It was decided in the affirmative.

Ordered, That the title thereof be as stated.

Mr. Thompson, from a select committee made the following report, to-wit:

Mr. President—The select committee to whom was referred a bill to be entitled, an act amendatory of the law in relation to the condemnation of timber for building and repairing bridges and causeways, have had the same under consideration, and have instructed me to report a bill in lieu of the said bill, which is herewith submitted, and recommend the adoption of the same; all of which is herewith submitted.

Which was read, and, on motion of Mr. Thompson, was received and agreed to, and the bill therein reported, to be entitled, an act amendatory of the law in relation to the condemnation of timber for building and repairing bridges and causeways, in the county of Monroe, was read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Bell presented the claims of B. F. Dill and W. W. Leland, which, on motion of Mr. Bell, were referred to the committee on Claims.

On motion of Mr. Kennedy, the Senate adjourned until half past three o'clock, P. M.

HALF PAST THREE O'CLOCK, P. M.

The Senate met pursuant to adjournment.

The Senate resumed the consideration of the orders of the day.

A bill to be entitled an act to regulate the practice in the circuit courts of this State, in relation to suits of attachment, was read the second time.

On motion of Mr. Stone, said bill was laid on the table.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to-wit:

Mr. President—The House of Representatives have passed a bill with the following title, to-wit:

A bill to be entitled, an act to change the forms of pleading in the circuit courts of this State.

In which I am instructed to desire the concurrence of the Senate.

Mr. Alcorn asked and obtained leave to call from the table, a bill to be entitled, an act to allow the sale of spirituous liquors, without license, for certain purposes, which was read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Brooke asked and obtained leave to call from the table,

A bill to be entitled, an act to incorporate the Lexington and Yazoo River Railroad Company.

On motion of Mr. Brooke, the amendment made to said bill was read and concurred in.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to-wit:

Mr. President—The House of Representatives have passed a bill of the following title, viz:

A bill to be entitled, an act to secure the collection of taxes on delinquent lands, and for other purposes.

In which I am instructed to desire the concurrence of the Senate.

The Senate again resumed the consideration of the orders of the day.

A bill to be entitled, an act to amend the third section of an act entitled, an act further to amend the several laws of this State in relation to courts of probate, was read the second time.

On motion of Mr. Brooke, the bill was laid on the table.

A bill to be entitled, an act to authorize the judges of the high court of errors and appeals to meet at Oxford, and hear the argument of causes, was read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to amend an act to change the mode of collecting revenue of hawkers and pedlars, approved Feb. 28th, 1846, was read, and the amendments made thereto by the House of Representatives, was, on motion of Mr. Stone, concurred in.

On motion of Mr. Stone, the report of the joint select committee on State and Federal Relations, was taken up, and the amendments made by the House of Representatives thereto were read.

On motion of Mr. Pettus, the first amendment was concurred in.

On motion of Mr. Alcorn, the second amendment was concurred in.

On motion of Mr. Carter, the third amendment was concurred in.

On motion of Mr. Catching, the fourth amendment was concurred in.

On motion of Mr. Carter, the fifth amendment was concurred in.

On motion of Mr. Pettus, the sixth and seventh amendments were disagreed to.

Mr. Pettus offered the following amendment, to-wit:

Strike out the 11th section and insert:

"*Be it further enacted,* That the Legislature shall elect twelve delegates to the Nashville convention, to be held on the first Monday in June; two from each Congressional district, and four from the State at large, six of the above delegates to be selected from each of the great political parties.

Which was adopted.

Mr. White called for the ayes and nays thereon, which are as follows, to-wit:

AYES—Mr. President, Messrs. Berry, Catching, Cannon, Carter, Drane, Davis, Gilleland, Greer, Hodges, McDugald, McAfee, Pettus, Ramsay, Reynolds, Singleton, Stone, Stewart, Torrey, and Talliaferro—20.

NAYS—Messrs. Alcorn, Brooke, Bell, Beene, Golladay, Kennedy, Sharkey, Thompson, Tait, and White—10.

On motion of Mr. Gilleland, the eighth amendment was concurred in.

On motion of Mr. Drane, the ninth amendment was disagreed to.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to-wit:

MR. PRESIDENT—The House of Representatives have passed a bill of the following title, viz:

An act to repeal an act, entitled, an act to incorporate the Deer Creek Navigation Company, approved March 4th, 1848, and for other purposes.

In which I am instructed to desire the concurrence of the Senate.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to-wit:

MR. PRESIDENT—The Speaker of the House of Representatives has signed an act to amend an act, entitled, an act to incorporate the Canton and Jackson Railroad Company, approved February 1, 1841, and passed Feb. 7, 1848.

Which I am instructed to present to the Senate for the signature of the President.

The Senate resumed the consideration of the orders of the day.

A bill to be entitled, an act to suppress trade and barter with slaves, and for other purposes, was read the first time.

Mr. Bell moved to lay said bill on the table; which was lost.

On motion of Mr. Stewart the rule was suspended, and the bill read the second time by title.

On motion of Mr. Stewart, the rule was further suspended, and the bill read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Berry, from the committee on Enrolled Bills, made the following report, to-wit:

MR. PRESIDENT—The committee on Enrolled Bills have this day presented to his Excellency the Governor, for his approval and signature, bills of the following titles, to-wit:

An act for the benefit of the sheriff of Hinds county, and for other purposes;

An act relative to the minutes of the Probate court of the county of Claiborne;

An act to declare Chiwappa a navigable stream;

An act supplemental to an act entitled an act to to establish common schools in the county of Holmes;

An act to incorporate the town of New Albany, in the county of Pontotoc;

An act to incorporate the town of Westville, in Simpson county;

An act to establish a system of common schools, and regulate the leasing of school sections in Washington county;

An act to repeal an act entitled an act to amend an act entitled an act to establish a system of common schools, and for other purposes, approved March 4th, 1846, approved March 4th, 1848, so far as said act applies to the county of Adams, and for other purposes;

An act in relation to the sixteenth sections in Noxubee and Coahoma counties;

An act to authorise the treasurer of Yalobusha county to loan school funds, and for other purposes;

An act to incorporate the Memphis and Charleston Railroad company;

An act to regulate the practice of the Probate courts in the counties of Rankin, Leake, Neshoba, Jones, Scott, Smith, Newton, Franklin, Tishemingo, Wayne, Tippah and Attala;

An act to amend an act to provide for and establish common schools in the counties of Holmes, Hinds, Tunica, Jefferson, Wilkinson, Lawrence and Amite;

An act for the relief of the heirs of Richard Ross, deceased;

An act to compel persons taking up runaway slaves to deliver them to their owners, if nearer their residence than the jail of the county in which such slaves are captured;

An act to incorporate Yalobusha County Manufacturing company;

An act to legalise the transcribing of the records of the Circuit court of the county of Yalobusha, for the May term, A. D. 1848;

An act to declare Old Town Creek a navigable stream.

Mr. Stewart asked and obtained leave to call from the table the following message received from his Excellency the Governor, to wit:

To the Senate:

From the accompanying documents, it appears that at the October term, 1844, of the Circuit court of Wilkinson county, an indictment was found against Rufus R. Richardson for an assault and battery, and the recognizance of said Richarson, taken for his appearance, in the sum of one hundred dollars. That the said indictment was afterward compromised under the statute, but that subsequent to said compromise, a *scire facias* issued against said Richardson, returnable to December term, 1846, and a judgment obtained thereon by default, 11th December, 1846, for one hundred dollars, and costs. The offence having been compromised before the recognizance was forfeited,and the judgment thereon had by mistake, or by the slight negligence of the party.

I recommend the remission of the forfeiture, but not the costs, and I respectfully ask the advice and consent of the Senate for the remission of said forfeiture.

J. A. QUITMAN.

Executive Chamber, Feb'y 26, 1850.

The State of Mississippi, Wilkinson County, in the Circuit Court of said County.

The State of Mississippi *vs.* Rufus R. Richardson.

Indictment for assault and battery, found at the December term, 1845. Bench warrant ordered same term, executed recognizance taken, with James M. Doty and Fielding Davis security, and forfeited 13th June, 1846, and *scire facias* ordered against said defendant and securities; indictment compromised under the statute and dismissed at defendant's cost, 15th June, 1846, and forfeiture against said securities, Dowty and Davis, set aside; *scire facias* issued against said Richardson, returnable December term, 1846, and judgment of same by default, 11th December, 1846, for one hundred dollars and cost.

I, Henry J. Butterworth, clerk of the court aforesaid, do hereby certify the above to be a true abstract of the proceedings in the above case, as fully as the same appears of record in my office.

In testimony whereof, I have hereunto set my hand and seal of said court, this 15th day of February, A. D. 1850.

HENRY J. BUTTERWORTH, Cl'k.

To his Excellency the Governor of the State of Mississippi:

Your petitioner, Rufus R. Richardson, a citizen of the county of

Wilkinson, State of Mississippi, would most respectfully represent unto your Excellency, that at the December term, 1845, of the Circuit court of Wilkinson county, a presentment was had against your petitioner for an assault and battery upon one Robert R. Richardson; further represents, that at the said December term, 1845, a bench warrant was issued, requiring petitioner to be recognised in the sum of one hundred dollars, with two securities in the sum of fifty dollars each; further represents, that at the June term of said Circuit court, 1846, to wit: on the 13th of June, 1846, the recognizance against your petitioner was forfeited, which became a judgment *nisi*; that on the 15th of June, 1846, at said court, two days after, said recognizance was forfeited, a compromise of said presentment was had in court, and the case dismissed; and further shows, that after such compromise was had, and the case dismissed, the district attorney omitted to set aside the judgment *nisi*, but suffered the *fieri facias* to continue on the same until the December term, 1846, when said district attorney took judgment final against your petitioner upon said forfeited recognizance. Your petitioner shows, that at the time final judgment was so taken, there was no case against petitioner, the same having been disposed of at the term preceding. In justice, therefore, your petitioner would pray your Excellency to remit the fine consequent upon said final judgment, and here refers your Excellency to the clerk's certificate of the facts alledged.

And as in duty bound, your petitioner will ever pray, &c.

RUFUS R. RICHARDSON.

Sworn to and subscribed before me, this 29th day of Janury, 1850. H. J. BUTTERWORTH, Clerk.

State of Mississippi, Wilkinson County.

I, Henry J. Butterworth, Clerk of the Circuit court in and for said county, do hereby certify that the facts set forth in the foregoing petition are true and correct as therein stated, as appears of record in my office.

In testimony whereof, I have hereunto set my hand and seal of said Court, this 29th day of January, A. D. 1850.

H. J. BUTTERWORTH, Cl'k.

Which was read.

On motion of Mr. Stewart, the Senate went into Executive session on said message; and on the further motion of Mr. Stewart, the Senate advised and consented to the remission of said fine, as asked in said message.

On motion of Mr. Alcorn, the Executive session rose.

Mr. McDugald offered the following resolution, to wit:

Resolved, That the Senate memorial to Congress, praying for a grant of land, and to make mail contracts for military transportation, in aid of the railroad communication between Washington

and the Mississippi river, at Vicksburg, be, by the consent and concurrence of the House of Representatives, recalled from the Governor, for the purpose of correcting errors apparent upon the face of the same.

Which was read the first time.

On motion of Mr. McDugald, the rule was suspended, and the resolution read the second time and adopted.

On motion of Mr. Drane, the Senate adjourned until 9 o'clock to-morrow morning.

TUESDAY, March 4, 1850.

The Senate met pursuant to adjournment.

The journal of yesterday was read.

On motion of Mr. Golladay, the Secretary of the Senate was instructed to recall from his Excellency, the Governor, a bill to be entitled an act to authorize the treasurer of Yalobusha county to loan school funds, and for other purposes; which bill has passed both Houses of the Legislature, and been sent to the Governor for his approval and signature, for the purpose of amending said bill by the Senate and House of Representatives.

Mr. Singleton, from the committee on Propositions and Grievances, made the following report, to wit:

Mr. President—The standing committee on Propositions and Grievances, to whom was referred the petition of Samuel Laughman, tax collector of Jefferson county, praying that certain damages therein named might be remitted by the Legislature, have had the same under consideration, and have instructed me to report the following bill for his relief, and recommend its passage.

Which was read, and, on motion of Mr. Singleton, was received and agreed to; and the bill therein reported, to be entitled an act to remit certain damages therein stated, was read the first time.

On motion of Mr. Singleton, the rule was suspended and the bill read the second time by title.

Mr. Greer offered the following amendment to said bill, to wit:

Amend by adding, in the preamble, after the word "judgment," the following, to wit:

"And whereas, it also appears that the sum of one hundred and seventeen dollars' damages, as the State tax for the year 1847, is so charged to John R. McCarrol, tax collector of Marshall county."

Which was read, and, on motion of Mr. Greer, was adopted.

On motion of Mr. Singleton, the rule was further suspended, the bill, as amended, considered as engrossed, read the third time and passed.

Ordered, That the title thereof be as stated.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

Mr. President—The House of Representatives have passed bills of the following titles:

A bill to be entitled an act to provide for the office of State Superintendent of Public instruction, and for other purposes;

A bill to be entitled an act amending the revenue laws of this State;

In which I am instructed to desire the concurrence of the Senate.

Mr. Stone, from a select committee, made the following report, to wit:

Mr. President—The select committee to whom was referred an act regulating the rate of license to sell vinous and spiritous liquors in the town of Monticello, and for other purposes, have had the same under consideration, and instructed me to report the following bill, as an amendment, to wit:

A Bill to be entitled an act to submit to the legal voters of the town of Monticello, and vicinity, within two miles of the court-house in said town, the question whether vinous and spiritous liquors shall be sold within said town and vicinity.

Section 1. *Be it enacted by the Legislature of the State of Mississippi*, That immediately after the passage of this act, it shall be the duty of the sheriff of Lawrence county, and he is hereby required, to hold an election at the court-house in said town, having first given five days' notice of the time of such election, which shall be to determine whether vinous and spiritous liquors shall be sold in said town and vicinity.

Sec. 2. *Be it further enacted*, That at such election the legal voters residing in said town and vicinity, shall endorse on their tickets the word "sale," or "no sale;" and if it shall appear by said election that a majority of said legal voters are in favor of "no sale," then and in that case it shall not be lawful, thereafter, for the board of police of said county to grant license to any person to retail vinous and spiritous liquors within said town and vicinity, in less quantities than one gallon; nor shall it be lawful for any person whatever to vend vinous and spiritous liquors, in any quantity whatever, within said town and vicinity, save and except for medical and sacramental purposes.

Sec. 3. *Be it further enacted*, That, for any violations of the provisions of this act, any person or persons so violating the same, shall be liable to indictment, and, upon conviction thereof, shall be fined not less than one hundred dollars, nor more than five hundred dollars, to be applied to common school purposes in said county; and that this act take effect and be in force from and after its passage.

Which was read, and, on motion of Mr. Stone, was received and agreed to.

On motion of Mr. Stone, the rule was suspended, said bill, as amended, considered as engrossed, read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Pettus asked and obtained leave to introduce a bill to be entitled an act for the relief of Maria F. Cohea, orphan child of Perry Cohea, deceased; which was read the first time.

On motion of Mr. Pettus, the rule was suspended and the bill read the second time by title.

On the further motion of Mr. Pettus, said bill was referred to a select committee of three.

Messrs. Pettus, Stewart and Hughes were appointed said committee.

The following message was received from his Excellency the Governor, through his Private Secretary, Mr. McDonald, to wit:

Mr. President—His Excellency, the Governor, has this day approved and signed bills of the following titles, to wit:

An act to amend an act entitled an act to establish and incorporate the town of Yazoo City, approved 3d March, 1846;

An act to authorize John C. Hudson to make a turnpike road in the county of Tunica;

An act to amend an act entitled an act to incorporate the Jackson and Canton Railroad Company, approved February 1st, 1841, and passed February 7th, 1848.

Mr. Sharkey asked and obtained leave to introduce a bill to be entitled an act to provide more effectually for the collection of sheriffs' fees, in certain cases; which was read the first time.

On motion of Mr. Sharkey, the rule was suspended and the bill read the second time by title.

On the further motion of Mr. Sharkey, the rule was further suspended, the bill considered as engrossed, read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Brooke, from the Judiciary Committee, made the following report, to wit:

Mr. President—The Judiciary Committee, to whom was referred a bill to be entitled an act supplementary to an act to secure to the owners of slaves, excuted by sentence of law, compensation for the same, passed February 18th, 1846, have had the same under consideration, and have instructed me to report the same back to the Senate, and ask to be discharged from the further consideration of the same.

Which was read, and, on motion of Mr. Brooke, was received and agreed to.

Mr. Ramsay, from a select committee, made the following report, to wit:

Mr. President—The select committee to whom was referred the bill in reference to the removal of the court-house of Harrison county, from Mississippi City to Biloxi, have had the same under consideration, and finding that, upon an examination of the votes

polled for representative, at the last November election, a large number of the citizens of said county have not petitioned for said removal; and also, that a majority of those who have petitioned are in favor of the present location, your committee, therefore, feel warranted in supposing that those who have signed neither petition are opposed to the removal, and have instructed me to report the bill back to the Senate, with the recommendation that it do not pass.

Which was read, and, on motion of Mr. Ramsay, was received and agreed to.

On the further motion of Mr. Ramsay, leave was granted him to withdraw the petitions accompanying said report.

Mr. Cannon asked and obtained leave to call up a bill to be entitled an act to regulate the practice in regard to writs of error and appeals; which was read the third time.

Mr. Brooke moved that said bill be referred to a committee of the whole House, forthwith; which was lost.

Mr. Stone called for the ayes and nays thereon, which are as follows, to wit:

AYES—Messrs. Cannon, Hodges, Sharkey and Taliaferro—4.

NAYS—Mr. President, Messrs. Alcorn, Bell, Berry, Beene, Carter, Davis, Golladay, Gilleland, Greer, Hughes, Kennedy, McDugald, McAfee, Pettus, Ramsay, Reynolds, Singleton, Stone, Stewart, Torrey, Thompson and Tait—23.

Mr. Brooke being excused from voting.

Mr Taliaferro, from a select committee, made the following report, to wit:

MR. PRESIDENT—The committee to whom was referred the bill to be entitled an act to loan the University of Mississippi the distributive share of the sales of public lands under the act of Congress of 1841, for a limited time, have had the same under consideration, and direct me to report the same back to the Senate, and recommend its passage.

Which was read, and, on motion of Mr. Taliaferro, was received and agreed to.

Mr. Alcorn offered the following amendment to said bill, to wit:

Amend by striking out the third section; which was lost.

Mr. Brooke called for the ayes and nays thereon, which are as follows, to wit:

AYES—Messrs. Alcorn, Brooke, Hodges, Reynolds, Stewart, Sharkey and Tait—7.

NAYS—Mr. President, Messrs. Bell, Berry, Beene, Cannon, Carter, Drane, Davis, Golladay, Gilleland, Greer, Hughes, Kennedy, McDugald, McAfee, Pettus, Ramsay, Singleton, Stone, Torrey, Taliaferro Thompson and White—23.

Mr. Taliaferro moved that the rule be suspended, the bill considered as engrossed, read the third time, and put upon its passage; which was lost.

Mr. Sharkey called for the ayes and nays thereon, which are as follows, to wit:

Ayes—Mr. President, Messrs. Brooke, Greer, Stewart, Sharkey, Taliaferro and White—8.

Nays—Messrs. Alcorn, Bell, Berry, Beene, Cannon, Carter, Drane, Davis, Golladay, Gilleland, Hodges, Hughes, Kennedy, McDugald, McAfee, Pettus, Ramsay, Reynolds, Singleton, Stone, Torrey and Thompson—22.

Mr. Singleton presented the petition of William C. Allen, and divers other citizens of Jackson; which was read, and, on motion of Mr. Singleton, was referred to a select committee of three.

Messrs. Singleton, Stewart and Sharkey were appointed said committee.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

Mr. President—The joint standing committee on Enrolled Bills have this day examined bills of the following titles, to wit:

An act to detach from the county of Washington, and add to the county of Yazoo, a portion of the former county;

An act supplemental to an an act entitled an act to amend an act entitled an act to incorporate the Deer Creek Railroad Company, approved 8th day of February, 1850;

An act to tax all persons trading and retailing merchandize on flatboats, or other crafts, on the Mississippi river, within the limits of the county of Tunica;

An act to amend an act entitled an act to extend the railroad beyond Jackson;

An act to incorporate the Gulf and Ship Island Railroad Company;

An act repealing the act of the Legislature of Mississippi, approved February 30th, 1839; also, an act approved January 19th, 1844, declaring Strong river a navigable stream;

A resolution of the Legislature of the State of Mississippi, authorizing the Governor to employ an agent to investigate certain claims therein mentioned;

An act to further endow the University of Mississippi;

An act to establish a system of common schools in the county of Scott;

An act to declare Trim Cane a navigable stream;

An act for the relief of Arabella J. Stewart;

An act to authorize John Standin to hawk and peddle, free of license, in the county of Tishemingo;

An act for the benefit of Elizabeth Samuel Byrn, a minor, in Noxubee county;

An act extending the time allowed for holding the probate court of Lafayette county;

An act to incorporate Deer Creek and Mississippi Plank Road Company, and for other purposes;

An act to change the name of Christopher Lynch Foster, and for other purposes.

Mr. Berry, from the committee on Enrolled Bills, made the following report, to wit:

Mr. President—The joint standing committee on Enrolled Bills have this day presented to his Excellency, the Governor, for his approval and signature, a bill of the following title, viz:

An act to amend an act to incorporate the Canton and Jackson Railroad Company, approved February 1st, 1841, and passed February 7th, 1848;

Mr. Reynolds asked and obtained leave to call from the table a bill to be entitled an act to incorporate the Jacinto Male Academy, and for other purposes.

On motion of Mr. Reynolds, the amendment made by the House of Representatives to said bill was concurred in.

Mr. Brooke asked and obtained leave to introduce a bill to be entitled an act to amend an act to provide for the sale of lands purchased by the State at tax sales, approved March 4th, 1845, so far as relates to Holmes county; was read the first time.

On motion of Mr. Brooke, the rule was suspended and the bill read the second time by title.

On the further motion of Mr. Brooke, the rule was further suspended, the bill considered as engrossed, read the third time and passed.

Ordered, That the title thereof be as stated.

The Senate proceeded to the consideration of the orders of the day:

A bill to be entitled an act to authorize Thomas Lyons, and others, to hawk and peddle, free of license, in the counties of Tippah and Marshall, was read the first time.

A bill to be entitled an act to change the time of holding the probate court of Simpson county, was read the first time.

On motion of Mr. Carter, the rule was suspended and the bill read the second time by title.

On motion of Mr. Gilleland, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to amend the several acts heretofore passed, incorporating the town of Brandon, and for other purposes, was read the first time,

On motion of Mr. Hodges, the rule was suspended and the bill read the second time by title.

On the further motion of Mr. Hodges, said bill was laid on the table.

A bill to be entitled an act to change the name of Narcissa Rebecca Wilkinson, of Pike county, and for other purposes, was read the first time.

On motion of Mr. Davis, the rule was suspended and the bill read the second time by title.

On the further motion of Mr. Davis, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act to restrict Railroad communication, and to make liable in certain cases, was read the first time.

On motion of Mr. Pettus, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Pettus, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act to amend the law in relation to interest on loaned money, was read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act to estabilsh Murdock's ferry, was read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act to authorize A. A. McKenzie to hawk and peddle in the county of Desoto, was read the third time and lost.

A memorial of the Legislature of the State of Mississippi to the Congress of the United States, was read the second time.

On motion of Mr. Reynolds, the rule was suspended, the memorial read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act to repeal an act to establish a system of common schools, and for other purposes, approved 4th of March, 1846, so far as the same relates to the county of Warren, was read the first time.

On motion of Mr. Sharkey, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Sharkey, said bill was referred to a select committee of three.

Messrs. Sharkey, Brooke, and McAfee were appointed said committee.

A bill to be entitled, an act for the relief of Benjamin W. Leggett, and for other purposes, was read the first time.

On motion of Mr. Davis, the rule was suspended, and the bill read the second time by title.

On the motion of Mr. Davis, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

On motion of Mr. Davis, leave was granted him to withdraw the bond accompanying said bill.

A bill to be entitled, an act to authorize the board of police of Warren county to receive and appropriate her pro rata share of

any levee fund, that may be appropriated by the Legislature by the provisions of a general common school bill, was read the first time.

On motion of Mr. Sharkey, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Sharkey, said bill was referred to a select committee of three.

Messrs. Sharkey, Brooke, and McAfee were appointed said committee.

A bill to be entitled, an act to incorporate the Scott county Charcoal Road, was read the first time.

On motion of Mr. Singleton, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Singleton, the rule was further suspended, and the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled an act to enable the counties through which the Mobile and Ohio Railroad may pass, to subscribe for and hold stock in the same, and for other purposes, was read the first time.

On motion of Mr. Berry, the rule was suspended, and the bill read a second time by title.

On motion of Mr. Bell, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act concerning common schools in the county of Jefferson, was read the first time.

On motion of Mr. Torrey, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Torrey, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

On motion of Mr. Greer, the vote just taken, refusing to pass the bill, entitled, an act to authorize A. A. McKenzie to hawk and pedle in the county of Desoto, was reconsidered.

On motion of Mr. Tait, the rule was suspended, the bill read the third time and passed.

Mr. Tait called for the ayes and nays thereon, which are as follows, to-wit:

AYES—Messrs. Alcorn, Brooke, Bell, Berry, Beene, Davis, Golladay, Greer, Hodges, McAfee Ramsay, Reynolds, Stewart, and Tait—14.

NAYS—Messrs. Pettus, Singleton, Stone, Sharkey, Torrey, and Talliaferro—6.

The Senate again proceeded to the orders of the day.

A bill to be entitled, an act to declare Seventy Mile Creek, from its confluence with Brown's Creek to Wiley Belcher's Mills, in Tishemingo county, a navigable stream, was read the first time.

On motion of Mr. Reynolds, the rule was suspended, and the bill read the second time by title.

Mr. Beene offered the following amendment to said bill, to-wit:

Provided, That nothing in this act contained shall in any manner interfere with any bridge on said creek on any public road now established by law, unless by consent of the board of police of the county where the same may be located, which was read.

On motion of Mr. Beene, was adopted.

On the further motion of Mr. Beene, the rule was suspended, the amendment considered as engrossed with the bill, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Alcorn asked and obtained leave to call up a bill, to be entitled, an act to authorize the voters of Coahoma county to permanently locate their county seat, which was read the third time and passed.

Ordered, That the title thereof be as stated.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to-wit:

MR. PRESIDENT—The House of Representatives have concurred in the amendment made by the Senate to the report of the joint select committee on State and Federal Relations, and have receded from their ninth amendment made thereto, and have adopted the following joint resolution:

Resolved, the Senate concurring, that the two Houses will meet in joint convention in the hall of the House of Representatives, on Wednesday morning next, at 10 o'clock, A. M., for the purpose of electing twelve delegates to the convention to be held in Nashville in June next, as provided for in the resolution on that subject, reported by the committee on State and Federal Relations.

In which I am instructed to ask the concurrence of the Senate.

On motion of Mr. Pettus, said resolution was concurred in.

The Senate again proceeded to the consideration of the orders of the day.

A bill to be entitled, an act to refund certain taxes illegally assessessed on lands of Jefferson college, was read the first time.

On motion of Mr. Stewart, the rule was suspended and the bill read the second time by title.

On motion of Mr. Stewart, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act for the benefit of the Southern Guards, was read the first time.

On motion of Mr. Thompson, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Thompson, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act to regulate the milage of members of the Legislature, was read the first time.

On motion of Mr. Stewart, the rule was suspended, and the bill read the second time by title,

Mr. Alcorn moved that said bill be indefinitely postponed, which was lost.

Mr. Alcorn offered the following amendment to said bill, to-wit:

Be it further enacted, That the provisions of this act be made applicable to the members of the present Legislature, and no member thereof shall charge milage, except as herein provided; and if any member thereof shall have drawn milage previous to the passage of this act, by which such member has received compensation for a greater distance than is herein contemplated, such member shall be required to refund the amount, and should such member fail or refuse to refund the same, it shall be the duty of the Auditor of Public Accounts to report in his account current, the name or names of such members, together with the amount charged.

Which was read, and on motion of Mr. Alcorn, was adopted.

Mr. Drane offered the following amendment to said bill, to-wit:

Strike out "air line," and insert "by the most usually traveled and direct land route."

Which was read, and, on motion of Mr. Drane, was adopted.

Mr. Pettus offered the following amendment to said bill, to-wit:

Strike out "court-house," and insert "their respective residences."

Which was read, and, on motion of Mr. Pettus, was adopted.

Mr. Bell moved to lay said bill on the table, which was lost.

On motion of Mr. Cannon, the rule was suspended, the amendment considered as engrossed, with the bill, as amended, read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Hodges asked and obtained leave to call from the table, a bill to be entitled, an act to amend the several acts heretofore passed, incorporating the town of Brandon, and for other purposes.

On motion of Mr. Hodges, the rule was suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

The Senate again resumed the consideration of the orders of the day.

A bill to be entitled, an act to incorporate the Vicksburg Manufacturing Company, was read the first time.

On motion of Mr. Sharkey, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Sharkey, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to-wit:

Mr. President—The House of Representatives have adopted the report of the joint select committee on Federal and State Relations on the special message of the Governor; and have passed resolutions in relation to common school lands.

In which I am instructed to desire the concurrence of the Senate.

At the request of the Senate, I am instructed to return the House bill, entitled, an act to repeal the levee laws of Warren county, so far as the same are now in force, south of the city of Vicksburg, to the southern boundary of said county, on the Mississippi river.

The House of Representatives have concurred in the resolution of the Senate, to recall from the Governor, for the purpose of correction, the Senate memorial to Congress to grant lands and to make mail contracts and contracts for military transportation in aid of the railroad communication between Washington City and the Mississippi river, at Vicksburg.

The Senate again resumed the consideration of the orders of the day.

A bill to be entitled, an act to amend the several acts concerning Estrays, was read the first time.

On motion of Mr. Torrey, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Torrey, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act to incorporate the Vicksburg and Warren County Manufacturing Company, was read the first time.

On motion of Mr. Sharkey, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Sharkey, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to-wit:

Mr. President—The House of Representatives have receded from their amendments, made to the Senate bill, entitled, an act to provide for the purchase of additional machinery, for the manufacture of cotton and wool in the penitentiary, and for other purposes.

The Senate again resumed the consideration of the orders of the day.

A bill to be entitled, an act to provide for the appointment of patrols, was read the first time.

On motion of Mr. Berry, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Berry, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Alcorn asked and obtained leave to introduce a bill to be entitled, an act to amend an act concerning the jurisdiction and powers of justices of the peace in this State, approved December 30, 1831, so far as the same relates to the county of Coahoma.

Which was read the first time.

On motion of Mr. Alcorn, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Alcorn, the rule was further suspended, the bill considered as engrossed, read the third time and passed.

Ordered, That the title thereof be as stated.

On motion of Mr. Alcorn, the Senate adjourned until half past 3 o'clock, P. M.

HALF PAST THREE O'CLOCK, P. M.

The Senate met pursuant to adjournment.

A quorum not being present, on motion of Mr. Berry, a call of the House was had.

On motion of Mr. Drane, the further call of the House was dispensed with.

The following message was received from the House of Representatives through their clerk, Mr. Russell, to wit:

Mr. President—The Speaker of the House of Representatives has signed bills with the following titles, to wit:

An act to detach from the county of Washington, and add to the county of Yazoo, a portion of the former county;

An act supplemental to an act entitled an act to amend an act entitled an act to incorporate the Deer Creek Railroad company, approved 8th February, 1850;

An act to tax all persons trading and retailing merchandise on flat boats, or other crafts, on the Mississippi river, within the limits of the county of Tunica;

An act to amend an act entitled an act to extend the Railroad beyond Jackson;

An act to incorporate the Gulf and Ship Island Railroad company;

An act repealing the act of the Legislature of Mississippi approved January 30th, 1839; also, an act approved January 19th, 1844, declaring Strong River a navigable stream;

A resolution of the Legislature of the State of Mississippi, authorising the Governor to employ an agent to investigate certain claims therein mentioned;

An act to further endow the University of Mississippi;

An act to establish a system of common schools in the county of Scott;

An act to declare Trim Cane a navigable stream;

An act for the relief of Arabella J. Stewart;

An act to authorise John Standin to hawk and peddle, free of license, in the county of Tishemingo;

An act for the benefit of Elizabeth Samuel Byrn, a minor, in Noxubee county;

An act to extend the time allowed for holding the Probate court in the county of Layfayette;

An act to incorporate the Deer Creek and Mississippi Plank Road Company, and for other purposes;

An act to change the name of Christopher Lynch Foster, and for other purposes;

Which I am instructed to present to the Senate for the signature of the President.

Mr. Sharkey asked and obtained leave to call from the table a bill to be entitled an act to repeal the levee laws of Warren county, so far as the same are now in force south of the city of Vicksburg, to the southern boundary of said county, on the Mississippi.

On motion of Mr. Sharkey, the vote taken on the passage of said bill was reconsidered.

On the further motion of Mr. Sharkey, said bill was referred to a select committee of three.

Messrs. Sharkey, White and Brooke, were appointed said committee.

The Senate proceeded to the consideration of the orders of the day, and resolved itself into committee of whole, on a bill to he entitled an act to improve the navigation of Big Black river, Mr. Berry in the chair; and after some time spent therein, the committee rose, and Mr. Berry reported said bill back to the Senate with sundry amendments, and recommended its passage.

On motion of Mr. Berry, the report was received and agreed to.

Mr. Brooke moved, that the rule be suspended, the bill read the third time, and put upon its passage; which motion was lost.

On motion of Mr. Pettus, said bill was ordered to be engrossed for a third reading on to-morrow.

A bill to be entitled an act to authorise and require the Attorney General to commence suit against the trustees of Jefferson College, and for other purposes, was read the first time.

A bill to be entitled an act to change the mode of electing the Reporter of the Decisions of the High Court of Errors and Appeals of this State, and for other purposes, was read the first time.

On motion of Mr. Stone, the rule was suspended, and the bill read the second time by title.

Mr. Brooke offered the following amendment to said bill:

Section —. *Be it further enacted*, That the the provisions of this bill shall not apply to the previous reporters during their present term of office, (which expires in July, 1851,(but the law now

in force requiring the office of reporter shall continue in force as to them.

Which was read, and on motion of Mr. Brooke, was lost.

Mr. Stone moved the rule be suspended, the amendment be considered as engrossed, the bill, as amended, read the third time and put upon its passage; which was lost.

A bill to be entitled an act to incorporate the Yazoo City and Houston Railroad company, was read the first time.

On motion of Mr. Cannon, the rule was suspended, and the bill read the second time by title.

Mr. Brooke offered the following amendment to said bill, to wit:

Amend by additional section:

Section —. *Be it further enacted*, That no part of said railroad shall be constructed, or the rails laid within two hundred yards of the county road between Yazoo City and Benton, or the plank road authorised to be so constructed by the Legislature of this State, between Yazoo City and Big Black river, or so near said road as to obstruct or in any way interfere with the running of the mail stage, wagons, or any other travel on said road.

Which was read, and the vote being taken on the adoption thereof, it was lost.

Mr. White offered the following amendment to said bill, to wit:

Amend by adding the following section:

Section —. *Be it further enacted*, That before the franchises herein granted shall take effect, that a special election shall be had in the county of Yazoo, on the first Monday of July next, to ascertain the wishes of the citizens of said county in regard to the establishment of said railroad; and that the board of police of said county is hereby required to order said election and appoint inspectors thereof for holding the same, and that said election be conducted in all respects like elections for State and county officers.

Section —. *Be it further enacted*, That it shall be the duty of the returning officer of said election to certify the result thereof, and make return to the Secretary of State, if it shall appear that a majority of the legal voters of said county have voted in favor of the establishment of said railroad, then, and in that case, the franchises herein granted shall be of binding force, but not otherwise.

Which was read, and, on motion of Mr. Drane, was laid on the table.

On motion of Mr. Brooke, said bill was referred to a select committee of three.

Messrs. Brooke, Cannon and White, were appointed said committee.

Mr. Pettus, from a select committee, made the following report, to wit:

Mr. President—The select committee, to whom was referred a bill to be entitled an act for the relief of Maria F. Cohea, have

had the same under consideration, and instructed me to report it back without amendment, and recommend its passage.

Which was read, and on motion of Mr. Pettus, was received and agreed to, and the bill therein reported, to be entitled an act for the relief of Maria F. Cohea, orphan child of Perry Cohea, deceased, was read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Singleton asked and obtained leave to offer the following resolution, to wit:

Resolved, That the committee to whom was referred the Yazoo City and Houston Railroad bill, be requested to report thereon to-morrow morning.

Which was read.

Mr. Carter moved to lay said resolution on the table, which was lost.

On motion of Mr. Singleton, said resolution was adopted.

Mr. Talliaferro asked and obtained leave to offer the following resolution, to wit:

Resolved by the Legislature of the State of Mississippi, That the University of Mississippi be relieved from the payment of the sum of ninety dollars due to the State for the purchase of law books from the State Library.

Which was read the first time.

On motion of Mr. Talliaferro, the rule was suspended, and the resolution read the second time and adopted.

The Senate again proceeded to the consideration of the orders of the day.

A bill to be entitled an act to promote common schools in the several counties in this State, was read the first time.

Mr. Carter moved that the rule be suspended, and the bill read the second time; which was lost.

A bill to be entitled an act to dispose of certain books, now in the State Library, was read the first time.

On motion of Mr. Stone, the rule was suspended, and the bill read the second time by title.

Mr. Golladay offered the following amendment to said bill, to wit:

Strike out "four dollars," and insert "three dollars, for Howard's Reports, and Smedes & Marshall's Reports, each."

Which was adopted.

On Motion of Mr. Golladay, the rule was suspended, the amendment, with the bill, considered as engrossed, the bill, as amended, read the third time and passed.

Ordered, that the title thereof be as stated.

On motion of Mr. Cannon, the Senate adjourned until to-morrow morning, 9 o'clock.

WEDNESDAY, March 6, 1850.

The Senate met pursuant to adjournment.

The journal of yesterday was read.

Mr. Sharkey presented the claim of William H. Taylor and H. J. Shackleford; which, on motion of Mr. Sharkey, was referred to the Committee on Claims.

Mr. Torrey presented the petition of Thomas W. Garnett, and other citizens of Rodney, which was read; and accompanied said petition with a bill to be entitled an act to repeal an act conferring corporate privileges on the citizens of the town of Rodney; which was read the first time.

On motion of Mr. Torrey, the rule was suspended and the bill read the second time by title.

On the further motion of Mr. Torrey, the rule was further suspended; the bill considered as engrossed, read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Singleton, from a select committee, made the following report, to wit:

Mr. President—The select committee to whom was referred the petition of William H. Allen, and others, praying an appropriation of money from the treasury to purchase hose for the fire company of the city of Jackson, have had the same under consideration, and have instructed me to report the following bill, and recommend its passage.

Which was read, and, on motion of Mr. Singleton, was received and agreed to; and the bill therein reported, to be entitled an act for the benefit of the fire company, No. 1, in the city of Jackson, was read the first time.

On motion of Mr. Singleton, the rule was suspended and the bill read the second time by title.

On the further motion of Mr. Singleton, the rule was further suspended, the bill considered as engrossed, read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Kennedy asked and obtained leave to call up a bill to be entitled an act amendatory of the revenue laws of this State; which was read the first time.

On motion of Mr. Kennedy, the rule was suspended and the bill read the second time by title.

On motion of Mr. Kennedy, said bill was referred to a committee of the whole House, and made the special order of the day for to-morrow, at 11 o'clock, A. M.

Mr. Cannon asked and obtained leave to call up a bill to be entitled an act to change the mode of electing the reporter of the decisions of the High Court of Errors and Appeals of this State, and for other purposes.

On motion of Mr. Ramsay, the vote taken on yesterday, refusing to adopt the following amendment to said bill, was reconsidered—to wit:

Be it further enacted, That the provisions of this bill shall not apply to the present reporters, during their present term of office, (which expires in July, 1851,) but the law now in force regulating the office of reporter shall continue in force as to them.

On motion of Mr. Brooke, said amendment was adopted.

On motion of Mr. Cannon, the rule was suspended, the amendment considered as engrossed with the bill, the bill, as amended, read the third time and passed.

Ordered, That the title thereof be as stated.

On motion of Mr. White, that portion of the journal of yesterday which shows that an amendment, offered by Mr. Brooke, to a bill to be entitled an act to change the mode of electing the reporter of the decisions of the High Court of Errors and Appeals of this State, and for other purposes, be corrected, so as to show that said amendment was lost.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

Mr. President—The House of Representatives have concurred in the amendments made by the Senate to the House bill entitled an act reducing the fees of certain officers therein named, approved February 10th, 1844, so far as relates to the counties of Covington, Wayne, Jones, Clarke, Greene, Jackson, Hancock, Perry, Marion, Washington, Adams, Jefferson and Pike.

The House of Representatives have passed a bill to be entitled an act regulating payment of the fees of clerks and returning officers of presidential elections, and of grand jurors and bailiffs in the circuit courts, and for other purposes;

In which I am instructed to desire the concurrence of the Senate.

And have passed a Senate bill to be entitled an act to amend an act entitled an act to aid in the establishment of an institution for the instruction of the blind, passed March 2d, 1848.

Also, the House have concurred in the Senate amendment to a bill to be entitled an act to amend the attachment law, and for other purposes.

Mr. Cannon, from the Committee on Claims, made the following report, to wit:

Mr. President—The joint standing Committee on Claims, to whom was referred various claims, have had the same under consideration, and have instructed me to report a bill, and recommend its passage.

Which was read, and, on motion of Mr. Cannon, was received

and agreed to; and the bill therein reported, to be entitled an act making certain appropriations therein named, was read the first time.

On motion of Mr. Cannon, the rule was suspended and the bill read the second time by title.

On the further motion of Mr. Cannon, said bill was referred to a committee of the whole House, and made the special order of the day for 12 o'clock, M., on to-morrow.

Mr. Berry, from the committee on Enrolled Bills, made the following report, to wit:

MR. PRESIDENT—The joint standing committee on Enrolled Bills have this day examined bills with the following titles, viz:

An act to suppress trade and barter with slaves, and for other purposes;

An act for the benefit of Benjamin W. Leggett, and for other purposes;

An act to amend the several acts heretofore passed incorporating the town of Brandon, and for other purposes;

An act to change the time of holding the probate court of Simpson county;

An act to restrict railroad companies, and make them liable in certain cases;

An act to provide for the appointment of patrols;

An act for the benefit of the Southern Guards;

An act to change the name of Narcissa Rebecca Wilkinson, of Pike county, and for other purposes;

An act to enable the counties through which the Ohio and Mobile railroad may pass, or which may be contiguous to the same, to subscribe for and hold stock in the same, and for other purposes;

An act to refund certain taxes illegally assessed on lands of Jefferson College;

An act to incorporate the Scott County Charcoal Road Company;

An act to amend an act reducing the fees of certain officers therein named, approved February 10th, 1844, so far as relates to the counties of Wayne, Clarke, Greene, Jackson, Hancock, Perry, Marion, Washington, Adams, Jefferson and Pike;

An act to incorporate the town of Camargo, in the county of Monroe;

An act to provide for the purchase of additional machinery for the manufacture of cotton and wool in the penitentiary, and for other purposes;

An act to incorporate the Almucha Academy;

Report of the committee on State and Federal Relations, on the special message of the Governor;

And have found the same correctly enrolled.

Mr. Berry from the committee on Enrolled Bills, made the following report, to wit:

MR. PRESIDENT—The joint standing committee on Enrolled Bills have this day presented to his Excellency, the Governor, for his approval and signature, the following bills, viz:

An act to incorporate the Gulf and Ship Island Railroad Company;

An act to repeal an act entitled an act to establish a system of common schools, and for other purposes, approved March 4th, 1846, so far as the same applies to township seven, range five east, in Warren county;

An act to authorize John Standin to hawk and peddle, free of license, in the county of Tishemingo;

An act for the relief of Arabella J. Stewart;

An act to declare Trim Cane a navigable stream;

An act to incorporate Deer Creek and Mississippi Plank Road Company, and for other purposes;

An act to change the name of Christopher Lynch Foster, and for other purposes;

An act repealing the act of the Legislature of Mississippi, approved February 30th, 1839; also, an act approved January 19th, 1844, declaring Strong river a navigable stream;

An act extending the time allowed for holding the probate court of Lafayette county;

An act for the benefit of Elizabeth Samuel Byrn, a minor, in Noxubee county;

An act to establish a system of common schools in the county of Scott;

An act to tax all persons trading and retailing merchandize on flatboats, or other crafts, on the Mississippi river, within the limits of the county of Tunica;

An act to further endow the University of Mississippi;

A resolution of the Legislature of the State of Mississippi, authorizing the Governor to employ an agent to investigate certain claims therein mentioned;

An act supplemental to an act entitled an act to amend an act entitled an act to incorporate the Deer Creek Manufacturing Company, approved 8th day of February, 1850;

An act to detach from the county of Washington, and add to the county of Yazoo, a portion of the former county;

An act to amend an act entitled an act to extend the railroad beyond Jackson.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

MR. PRESIDENT—The Speaker of the House of Representatives has signed bills of the following titles, viz:

An act to suppress trade and barter with slaves, and for other purposes;

An act for the relief of Benjamin W. Leggett, and for other purposes;

An act to amend the several acts heretofore passed incorporating the town of Brandon, and for other purposes;

An act to change the time of holding the probate court of Simpson county;

An act to restrain railroad companies, and make them liable, in certain cases;

An act to provide for the appointment of patrols;

An act for the benefit of the Southern Guards;

An act to change the name of Narcissa Rebecca Wilkinson, of Pike county, and for other purposes;

An act to enable the counties through which the Ohio railroad may pass, or which may be contiguous to the same, to subscribe for and hold stock in the same, and for other purposes;

An act to refund certain taxes illegally assessed on lands of Jefferson College;

An act to incorporate the Scott County Charcoal Road Company;

An act to amend an act reducing the fees of certain officers therein named, approved February 16th, 1844, so far as relates to the counties of Wayne, Clarke, Greene, Jackson, Hancock, Perry, Marion, Washington, Adams, Jefferson and Pike.

An act to incorporate the town of Camargo, in the county of Monroe;

An act to provide for the purchase of additional machinery for the manufacture of cotton and wool in the penitentiary, and for other purposes;

An act to incorporate the Almucha Academy;

Report of the committee of State and Federal Relations, on the special message of the Governor;

Which I am instructed to present to the Senate for the signature of the President.

The President signed the bills therein named.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

Mr. President—The House of Representatives have passed bills of the following titles:

A bill to be entitled an act to autherize the board of police of Lawrence county to transcribe certain records in the office of the probate court of said county;

A bill to be entitled an act to incorporate the town of Warrenton, in Warren county;

A bill to be entitled an act to authorize the citizens of fractional township number seventeen, range nineteen east, in Lowndes county, to organize a board of trustees, consisting of three members;

A bill to be entitled an act to incorporate Kemper College.

I am instructed by the House of Representatives to inform the Senate that their Hall is now in readiness for your reception, to

the end that the two Houses, in conformity with their joint resolution, proceed to the election of delegates to the Nashville Convention.

The President of the Senate having announced the object of the joint convention of the two Houses to be the election of delegates to the Nashville Convention, Mr. Cannon, from the Senate, offered the following resolution:

Resolved, That William L. Sharkey, Roger Barton, C. P. Smith and S. S. Boyd, for the State at large, be elected by acclamation.

Mr. Greer, of the Senate, offered the following amendment to the resolution:

Amend by striking out "Roger Barton, C. P. Smith and S. S. Boyd," and insert the names of "A. M. Clayton, H. T. Ellett and G. J. Sturges."

A division being called for, the question was taken on striking out, and decided in the affirmative.

On motion of Mr. Barry, the resolution and amendment were laid on the table.

Mr. Barry of the House, put in nomination W. L. Sharkey.

Mr. Cannon, of the Senate, put in nomination A. M. Clayton.

Mr. Matthews, of the House, put in nomination C. P. Smith.

Mr. Cannon, of the Senate, put in nomination S. S. Boyd.

Who were severally unanimously elected to represent the State at large in the Nashville Convention.

Nominations for the First Congressional District:

Mr. Greer, of the Senate, put in nomination the name of J. W. Matthews.

Mr. Barton, of the House, put in nomination Thomas J. Word.

Who were unanimously elected delegates to the Nashville Convention.

For the Second Congressional District:

Mr. Kennedy put in nomination G. F. Neill and George H. Young.

Who were unanimously elected delegates to the Nashville Convention.

For the Third Congressional Drstrict:

Mr. Lynch, of the House, put in nomination W. R. Miles.

Mr. Cannon, of the Senate, put in nomination John J. Pettus.

Who were unanimously elected delegates to the Nashville Convention.

For the Fourth Congressional District:

Mr. Wall, of the House, put in nomination, T. Jones Stewart.

Mr. Stone, of the Senate, put in nomination John J. McRae.

Who were unanimously elected delegates to the Nashville Convention.

Mr. White, of the Senate, offered the following protest, which, on motion of Mr. Ford, was ordered to be spread upon the Journals:

Whereas, the Legislature, by entering into convention for the purpose of electing delegates to the Nashville Convention, transcends its powers, and thereby usurps authority and trampels upon the legitimate rights of the people:

Therefore, we, representatives of the people, in the Legislature of the State of Mississippi assembled, enter this, our solemn protest against this proceeding of this Legislature—novel in its nature, transcending its duties, and tending to subvert the dignity, harmony, prosperity and perpetuity of the union of these United States of America.

[Signed] J. J. Armsrrong, John B. Ash, E. McNabb, W. B. Smith, A. Farrar, L. M. Day, J. J. Hughes, P. J. Myers, J. McInnis, R. K. Arthur, J. D. Stewart, S. D. Johnson, John West, J. J. B. White, W. Brooke, J. E. Sharkey, James M. Tait, J. L. Alcorn, S. Ford, T. J. Catchings, Grafton Baker, J. F. Griffin, Patrick Henry, E. G. Marble, J. W. Chisholm, Joseph Regan, F. C. Talbert.

The President of the Senate announced that the object for the joint convention of the two Houses having been accomplised, the Senate withdrew to their Chamber.

Mr. Stone asked and obtained leave to introduce a bill to be entitled an act to provide a room in the Capitol for the repository of minerals; which was read the first time.

On motion of Mr. Stone, the rule was suspended, and the bill read the second time by title.

Mr. Stone moved that the rule be further suspended, the bill considered as engrossed, read the third time and put upon its passage; which motion was lost.

Mr. Brooke, from a select committee, made the following report, to wit:

Mr. President—The select committee, to whom was referred a bill to be entitled an act to incorporate the Yazoo City and Houston Railroad company, have had the same under consideration, and have instructed me to report the bill back with an amendment, and ask to be discharged from the further consideration of the same.

Amend by adding the following sections:

Section —. *Be it further enacted*, That before the franchises herein granted shall take effect, that a special election shall be held in each of the counties through which said road is to run, on the first Monday of July next, to ascertain the wishes of the citizens of said county in regard to the establishment of said railroad; and that the boards of police of said coun-

ties are hereby required to order said election and appoint inspectors thereof for holding the same, and that said election be conducted in all respects like elections for State and county officers.

Section —. *Be it further enacted*, That it shall be the duty of the returning officer of said election to certify the result thereof, and make return to the Secretary of State, and if it shall appear that a majority of those voting in said counties, have voted for the establishment of said railroad, then, and in that case, the franchises herein granted shall be of binding force, but not otherwise.

Which was read, and on motion of Mr. Brooke, was received and agreed to, and the bill therein reported, to be entitled an act to incorporate the Yazoo and Houston Railroad company, was read the third time, as amended, and passed.

Mr. White called for the ayes and nays thereon, which are as follows, to wit:

AYES—Mr. President, Messrs. Alcorn, Brooke, Bell, Berry, Cannon, Carter, Drane, Davis, Gilleland, Greer, Hughes, Kennedy, McDugald, McAfee, Pettus, Ramsay, Reynolds, Singleton, Stone, Stewart, Sharkey, Torrey, Thompson, Tait and White—26.

NAYS—Mr. Beene—1,

Ordered, That the title thereof be as stated.

Mr. Alcorn asked and obtained leave to introduce a bill to be entitled an act for the relief certain settlers of State and school lands; which was read the first time.

On motion of Mr. Alcorn, the rule was suspended, and the bill read the second time by title.

On the further motion of Mr. Alcorn, the rule was further suspended, the bill considered as engrossed, read the third time and passed.

Mr. Alcorn called for the ayes and nays thereon, which are as follows, to wit:

AYES—Mr. President, Messrs. Alcorn, Brooke, Cannon, Carter, Drane, Davis, Gilleland, Hodges, Hughes, Kennedy, McAfee, McDugald, Pettus, Ramsay, Reynolds, Stone, Stewart, Sharkey, Torrey, Tait and White—22.

NAYS—Messrs. Bell, Berry, Beene, Greer, Singleton, Talliaferro and Thompson—7.

Ordered, That the title thereof be as stated.

Mr. Beene, from the committee on Engrossed Bills, made the following report, to wit:

MR. PRESIDENT—The committee on Engrossed Bills have examined a bill to be entitled an act to improve the navigation of Big Black river, and others, and have found the same correctly engrossed.

Mr. Brooke asked and obtained leave to call up a bill to be en-

titled an act to improve the navigation of Big Black river, and others.

On motion of Mr. Pettus, the Senate resolved itself into committee of the whole on said bill forthwith, Mr. Gilleland in the chair; and after some time spent therein, the committee rose, and Mr. Gilleland reported said bill back to the Senate with sundry amendments.

On motion of Mr. Gilleland, the report was received and agreed to.

Mr. Reynolds offered the following amendment to said bill, to wit:

One thousand dollars to the improvement of Tuscumbia river, in the county of Tishemingo, under the provisions of this bill.

Which was read, and on motion of Mr. Reynolds, was adopted.

Mr. McDugald offered the following amendment to said bill, to wit:

Strike out "eight hundred dollars," and insert in lieu thereof, "twelve hundred dollars for Chickasaha."

Which was read, and on motion of Mr. Brooke, was laid on the table.

On Motion of Mr. Brooke, the rule was suspended, the amendment considered as engrossed with the bill, the bill, as amended, read the third time and passed.

Mr. Brooke called for the ayes and nays thereon, which are as follows, to wit:

AYES—Mr. President, Messrs. Alcorn, Brooke, Beene, Davis, Gilleland, Greer, Hughes, Kennedy, McAfee, Pettus, Ramsay, Reynolds, Singleton, Stone, Stewart, Sharkey, Torrey, Talliaferro, Thompson, Tait and White—22.

NAYS—Messrs. Bell, Berry, Cannon, Carter, Drane, Hodges and McDugald—7.

Ordered, That the title thereof be as stated.

On motion of Mr. Drane, the Senate adjourned until half past 3 o'clock, P. M.

HALF PAST THREE O'CLOCK, P. M.

The Senate met pursuant to adjournment.

Mr. Brooke asked and obtained leave to offer the following resolution, to be entitled a resolution in relation to the Secretary of the Senate and Clerk of the House of Representatives; which was read the first time.

On motion of Mr. Brooke, the rule was suspended, and the resolution read the second time by title.

On the further motion of Mr. Brooke, the rule was further suspended, the resolution considered as engrossed, read the third time and passed.

Ordered, that the title thereof be as stated.

Mr Singleton asked and obtained leave to introduce a bill to be entitled an act to incorporate the Canton and Jackson Plank Road company; which was read the first time.

On motion of Mr. Singleton, the rule was suspended and the bill read the second time by title.

On the further motion of Mr. Singleton, the rule was further suspended, the bill considered as engrossed, read the third time and passed.

Ordered, that the title thereof be as stated.

Mr. Brooke, from the Judiciary committee, made the following report, viz:

Mr. President—The Judiciary committee, to whom was referred resolutions in relation to the Governor's message, and a resolution in regard to reforming the laws in relation to runaway slaves, beg leave to report said resolutions back to the Senate, and ask to be discharged from the further consideration of the same.

Which was read, and on motion of Mr. Brooke, was received and agreed to.

The Senate proceeded to the consideration of the orders of the day.

A bill to be entitled an act to indemnify owners of property destroyed by Railroad companies, in the State of Mississippi, was read the first time.

On motion of Mr. Brooke, said bill was laid on the table.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to-wit:

Mr. President—The House of Representatives have passed a bill of the following title, viz:

A bill to be entitled, an act to re-organize the Fourth Judicial District composed of the counties of Jackson, Greene, Perry, Jones, Wayne, Jasper, Clarke, Lauderdale, Newton, Neshoba, Kemper, and Noxubee.

In which I am instructed to desire the concurrence of the Senate.

Mr. Gilleland, from the standing committee on Enrolled Bills, made the following report, to-wit:

Mr. President—The joint standing committee on Enrolled Bills have examined the following bills, and have found them correctly enrolled, to-wit:

An act to incorporate the Lexington and Yazoo River Railroad Company.

Report of the joint select committee on Federal and State Relations, through their chairman, John I. Guion.

The Senate again resumed the consideration of the orders of the day.

A bill to be entitled, an act to incorporate Magnolia Hotel Company, was read ths first time.

On motion of Mr. Drane, the rule was suspended, and the bill read the second time by title.

On the motion of Mr. Cannon, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Sharkey asked and obtained leave to introduce a bill, to be entitled, an act to provide for the purchase of books for the use of the convicts of the penitentiary, which was read the first time.

On motion of Mr. Sharkey, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Sharkey, the rule was further suspended, the bill considered as engrossed, read the third time and passed.

Ordered, That the title thereof be as stated.

The Senate again resumed the consideration of the orders of the day.

A bill to be entitled, an act to amend an act, entitled, an act to incorporate the town of Pass Christian, approved Feb. 21, 1848, was read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act to authorize the State Commissioner to sell the land belonging to the Seminary Fund, lying in the different counties in this State, was read the first time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act in relation to appeals and writs of error, was read the first time.

On motion of Mr. Brooke, said bill was laid on the table.

A bill to be entitled, an act for the relief of purchasers at Tax Sales, was read the second time.

On motion of Mr. Singleton, said bill was laid on the table.

A bill to be entitled, an act supplementary to an act, entitled, an act to incorporate the Yazoo and Big Black Plank Road Company, and for other purposes, approved Feb. 8, 1850, was read the second time.

On motion of Mr. Torrey, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to-wit:

Mr. President—The Speaker of the House of Representatives has signed the report of the joint select committee on Federal and State Relations, through their chairman, John I. Guion:

An act to incorporate the Lexington and Yazoo River Railroad Company.

Which I am instructed to present to the Senate for the signature of the President.

The President signed the bills therein named.

The Senate again resumed the consideration of the orders of the day.

A bill to be entitled, an act to amend an act concerning Coroners, passed June 13, 1822, was read the second time.

On motion of Mr. Stone, the rule was suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act to authorize the Board of Police in the county of Sunflower, to levy a tax upon Internal Improvement Land, lying in said county, was read the second time.

Mr. White moved that the rule be suspended, the bill be read the third time and be put upon its passage, which motion was lost.

A bill to be entitled, an act to repeal an act passed in 1846, abolishing the office of Assessor, and making the sheriff ex-officio the assessor, was read the third time and passed

Ordered, That the title thereof be as stated.

A bill to be entitled, an act to incorporate the Grenada Mutual Insurance Company, was read the second time.

On motion of Mr. Brooke, the rule was suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act to confirm to Samuel H. King, the privileges granted him by the Board of Police in Tippah county, on the 11th day of April, 1848, was taken up.

Mr. Berry moved to recede from their second amendment to said bill, which motion was lost.

Mr. Berry moved that a committee of three be appointed on the part of the Senate, as a committee of conference on said bill, which was decided in the affirmative.

Messrs. Berry, Greer, and Kennedy were appointed said committee.

An amendment made by the House of Representatives, to a bill to be entitled, an act to remove the civil disabilities of Lucinda Moser, a *feme covert*, of Tishemingo county; was read.

On motion of Mr. Reynolds, said amendment was concurred in.

An amendment made by the House of Representatives to a bill to be entitled an act to remove the civil disabilities of George Washington Lafayette Byrd, a minor of Holmes county, was read.

On motion of Mr. Brooke, said amendment was concurred in.

An amendment made by the House of Representatives, to a bill to be entitled, an act to incorporate the Hill City Lodge, No. 121, of Free and Accepted Masons, in the City of Vicksburg, and other purposes, was read.

On motion of Mr. Sharkey, said amendment was concurred in.

A bill to be entitled, an act to repeal an act, entitled, an act to incorporate the Deer Creek Navigation Company, approved March 4th, 1848, and for other purposes, was read the first time.

On motion of Mr. White, the rule was suspended, and the bill read the second time by title.

On motion of Mr. White, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Brooke asked and obtained leave to introduce a bill to be entitled, an act for the protection of the Books of the Surveyor General, which was read the first time.

On motion of Mr. Brooke, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Brooke, the rule was further suspended, the bill considered as engrossed, read the third time and passed.

Ordered, That the title thereof be as stated.

The Senate again resumed the consideration of the orders of the day.

A bill to be entitled, an act providing for the election of additional Members to Congress, and for other purposes, was read the first time.

On motion of Mr. Berry, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Berry, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act to secure the collection of taxes on delinquent lands, and for other purposes, was read the first time.

On motion of Mr. Kennedy, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Kennedy, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

The following message was received from his Excellency the Governor, through his private secretary, Mr. McDonald, to-wit:

Mr. President—His Excellency the Governor has this day approved and signed bills of the following titles, to-wit:

An act to authorise John Standin to hawk and peddle, free of license, in the county of Tishemingo;

An act to declare Trim Cane a navigable stream;

An act to repeal an act entitled, an act to establish a system of Common Schools, and for other purposes, approved 4th of March, 1846, so far as the same applies to township 17, range 5 east, in Warren county;

An act to incorporate the Deer Creek and Mississippi Plank Road Company, and for other purposes;

An act to extend the time allowed for holding the Probate Court of Lafayette county;

The Senate again resumed the consideration of the orders of the day.

An amendment made by the House of Representatives, to a bill to be entitled, an act for the benefit of Samuel Reid, a minor of Tishemingo county, was read.

On motion of Mr. Reynolds, said amendment was concurred in.

An amendment by the House of Representatives, to a bill to be entitled, an act to incorporate the Panola and Coahoma Plank Road Company, was read:

On motion of Mr. Alcorn, said amendment was concurred in.

An amendment made by the House of Representatives to a bill to be entitled, an act to aid the citizens of Vicksburg in building a Hospital, was read.

On motion of Mr. Sharkey, said amendment was concurred in.

A bill to be entitled, an act to provide for the office of State Superintendent of Public Instruction, and for other purposes, was read the first time.

Mr. White, moved that the rule be suspended, and the bill be read the second time by title, which was lost.

A bill to be entitled, an act supplementary to an act to secure to owners of Slaves, executed by sentence of law, compensation for the same, passed February 18th, 1846, was read the second time.

The following amendment reported by the Judiciary committee, to said bill, were read, to-wit:

"Which finding shall be entered on the record and certified to the auditor, which shall be his authority for drawing his warrant."

"*Be it further enacted*, That it shall not be necessary to allege in the indictment, the name of the owner of such slave or slaves."

On motion of Mr. Stone, said amendment was adopted.

On the further motion of Mr. Stone, the rule was suspended, the amendment considered as engrossed with the bill, the bill, as amended, read the third time and passed.

Ordered, That the title thereof be as stated.

A resolution in relation to School Lands, was read the first time.

On motion of Mr. Sharkey, the rule was suspended, and the resolution read the second time by title.

On the motion of Mr. Sharkey, the rule was further suspended, the resolution read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act to reduce into one, the several acts for the relief and settlement of the Poor, was read the first time.

On motion of Mr. Stone said bill was laid on the table.

Mr. McDugald presented the petition of Jacob Unger, which was read, and, on motion of Mr. McDugald, was referred to a select committee of three.

Messrs. McDugald, Ramsay, and McAfee were appointed said committee.

The Senate again resumed the consideration of the orders of the day.

A bill to be entitled, an act to promote Common Schools in the several counties in this State, was read the second time.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to-wit:

Mr. President—The House of Representatives have passed bills of the following titles, viz:

An act for the relief of Mary Davis, widow of John R. Davis, deceased;

An act to establish a Ferry across Yazoo river, at the residence of Alfred Murdock, in the county of Sunflower.

And have made amendments to each, and have instructed me to desire the concurrence of the Senate to said amendments.

Mr. Greer moved that the Senate adjourn until nine o'clock to-morrow morning, which was lost.

Mr. Berry, from the committee on Enrolled Bills, made the following report, to-wit:

Mr. President—The committee on Engrossed Bills, have this day presented to his Excellency the Governor, for his approval and signature, the following bills and resolutions, viz:

An act to incorporate the Scott county Charcoal Road Company;

An act to provide for the appointment of patrols;

An act to suppress Trade and Barter with Slaves and for other purposes;

An act to incorporate the town of Camargo, in the county of Monroe;

An act to restrict Railroad Companies, and to make them liable in certain cases;

An act to provide for the purchase of additional machinery for the manufacture of Cotton and Wool in the Penitentiary, and for other purposes;

An act to enable the counties through which the Mobile and Ohio Railroad may pass, to subscribe for and hold stock in the same, and for other purposes;

An act for the benefit of the Southern Guards;

An act for the relief of Benjamin W. Leggett, and for other purposes;

An act to refund certain Taxes illegally assessed on lands of Jefferson college;

An act to change the name of Narcissa Rebecca Wilkinson, of Pike county, and for other purposes;

An act to amend the several acts heretofore passed, incorporating the town of Brandon, and for other purposes;

An act to incorporate the Lexington and Yazoo River Railroad Company;

An act to amend an act reducing the fees of certain officers therein named, approved Feb. 10, 1844, so far as relates to the counties of Wayne, Clarke, Greene, Jackson, Hancock, Marion, Perry, Washington, Adams, Jefferson, and Pike;

An act to change the time of holding the Probate Court of Simpson county;

An act to incorporate the Almucha Academy;

Resolutions and report of the joint select committee on Federal and State Relations, through their chairman, John I. Guion.

Report of the committee on State and Federal Relations on special message of the Governer.

On motion of Mr. Brooke, the Senate adjourned until to-morrow morning, 9 o'clock.

THURSDAY, MARCH 7, 1850.

The Senate met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Henderson.

The journal of yesterday was read.

Mr. Sharkey, from a select committee, made the following report, to wit:

MR. PRESIDENT—The select committee to whom was referred a bill to be entitled an act to provide for the education of the poor children and orphans in Warren county, have had the same under consideration, and have instructed me to report said bill back, and ask to be discharged from the further consideration of the subject.

Which was read, and, on motion of Mr. Sharkey, was received and agreed to.

Mr. White presented the petition of Elizabeth King, of Yazoo county, which was read; and accompanied said petition by a bill to be entitled an act for the relief of Elizabeth King, a woman of color; which was read the first time.

On motion of Mr. White, the rule was suspended and the bill read the second time by title.

On the further motion of Mr. White, said bill was referred to a select committee of three.

Messrs. White, Brooke and Hodges were appointed said committee.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

MR. PRESIDENT—The House of Representatives have passed bills of the following titles:

A bill to be entitled an act to authorize the voters of Coahoma county to permanently locate their county seat;

A bill to be entitled an act concerning the jurisdiction and powers of justices of the peace in the State, approved December 30, 1831, so far as the same relates to the county of Coahoma;

A bill to be entitled an act to amend the several acts incorporating the Louisville Academy;

A bill to be entitled an act to provide for the transcribing of certain records in Bolivar county;

A bill to be entitled an act to reduce the rate of license to retail vinous and spiritous liquors in certain counties therein named;

A bill to be entitled an act to amend an act for the relief of John Patterson, approved Jan. 22, 1848;

A bill to be entitled an act for the benefit of L. L. Bridges, sheriff of Coahoma county;

A bill to be entitled an act to incorporate the Kemper Iron Works Company;

A bill to be entitled an act supplemental to an act to change the time of holding the probate court of Jasper county;

A bill to be entitled an act to authorize the president of the board of trustees of township five, range five east, in Rankin county, to make certain titles, &c.;

A bill to be entitled an act to prohibit the sale of ardent spirits within four miles of the court-house in Harrison county, located in Mississippi City;

A bill to be entitled an act amendatory of the laws relative to the condemnation of timber for building and repairing bridges and causeways in Monroe county;

A bill to be entitled an act for the benefit of the heirs of Rob't H. Gill, deceased, late of Leake county;

A bill to be entitled an act to submit to the legal voters of the town of Monticello and vicinity, within two miles of the court-house of said town, the question whether vinous and spiritous liquors shall be sold within said town and vicinity;

A bill to be entitled an act to authorize A. A. McKenzie to hawk and pepdle in the county of De Soto;

A bill to be entitled an act to amend an act to provide for the sale of lands purchased by the State at tax sales, so far as the same relates to Holmes county;

A bill to be entitled an act to remit certain damages therein named;

A bill to be entitled an act to prescribe the mode of applying school funds in Tippah county, and for other purposes;

A bill to be entitled an act to reduce the fees of the county treasurer of Copiah county, as escheator;

A bill to be entitled an act to repeal all acts conferring corporate privileges on the citizens of the town of Rodney;

A bill to be entitled an act for the relief of Maria F. Cohea, orphan child of Perry Cohea, deceased;

A bill to be entitled an act to incorporate the Canton and Jackson Plank Road Company;

A resolution in relation to the Secretary of the Senate and Clerk of the House;

A bill to be entitled an act to amend an act to incorporate the town of Pass Christian, passed Feb. 21, 1848;

A bill to be entitled an act for the benefit of the fire company, No. 1, in the city of Jackson.

The House of Representatives have concurred in the several amendments made to the following House bills:

A bill to be entitled ad act to legalize the sales of the sixteenth sections, in the county of Smith;

A bill to be entitled an act supplementary to an act to secure to owners of slaves, executed by sentence of law, compensation for the same;

A bill to be entitled an act to incorporate the Yazoo City and Houston Railroad Company;

A bill to be entitled an act to declare Twenty Mile Creek, from its confluence with Brown's Creek, to Wiley Belcher's mills, in Tishemingo county, a navigable stream;

A bill to be entitled an act for making ditches in the county of Washington;

A bill to be entitled act to amend an act entitled an act to legalize the public roads in Coahoma county;

A bill to be entitled an act to change the mode of electing the reporter of the decisions of the High Court of Errors and Appeals of this State, and for other purposes.

The House of Representatives have disagreed to the amendment made by the Senate to a House bill entitled an act to dispose of certain books now in the State Library; and have appointed, as a committee of conference, on the part of the House, in relation to the bill to be entitled an act to confirm to Samuel H. King the privileges granted him by the board of police of Tippah county, on the 11th day of April, 1848, Messrs. Collins, Adams, Suratt, Hinds and Mott.

The House of Representatives insist upon their amendment made to the Senate hill to be entitled an act to incorporate the Jacinto Male Academy, and for other purposes;

And have passed a bill with the following title:

A bill to be entitled an act to authorize the board of police of Warren county to have exclusive jurisdiction in granting to person or persons the right to establish ferry or ferries in said county;

In which I am instructed to desire the concurrence of the Senate.

Mr. Sharkey, from a select committee, made the following report, to wit:

Mr. President—The select committee to whom was referred a bill to be entitled an act to repeal an act to establish a system of common schools, and for other purposes, approved 4th March, 1846, so far as the same relates to the county of Warren, have had the same under consideration, and have instructed me to report said bill back, with the following amendment, and recommend its passage; which amendments are as follows, to wit:

Strike out the seventh section, after the word "enacted," and insert—

That in all cases where the school commissioners have sold any school lands, in accordance with the provisions of the law, and have not executed titles therefor, that the trustees elected, or hereafter to be elected, may, and they are hereby authorized, to execute such titles as the school commissioners could have executed, whenever the purchase money for such land shall have been paid.

Sec. 9. Strike out all after the word "enacted that the provisions of this act shall not extend to township sixteen, ronge three east, in the county of Warren."

Strike out twelfth section—add this section:

Be it further enacted, That the provisions of this act shall not be so construed as to affect the collection of any debt due to the school commissioners; and all suits, for the collection of money, shall proceed to final judgment or decree, as if this act had not passed.

Which was read, and on motion of Mr. Sharkey, was received and agreed to; and the bill therein reported, to be entitled an act to repeal an act to establish a system of common schools, and for other purposes, approved 4th March, 1846, so far as the same relates to the county of Warren, as amended, was read the third time and passed.

Ordered, That the title thereof be as stated.

The Senate proceeded to the consideration of the orders of the day:

A bill to be entitled an act to authorize and require the Attorney General to commence suit against the trustees of Jefferson College, and for other purposes, was read the second time.

Mr. Bell moved to lay said bill on the table; which was lost.

On motion of Mr. Carter, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

Mr. President—The House of Representatives have passed a preamble and resolution to Congress of the United States, in relation to the estate of Mount Vernon;

In which I am instructed to ask the concurrence of the Senate.

Mr. Stewart asked and obtained leave to introduce a bill to be entitled an act for the relief of the Natchez Orphan Asylum, and accompanied said bill by the petition of A. M. Montgomery, and other citizens of Natchez; which was read the first time.

On motion of Mr. Stewart, the rule was suspended and the bill read the second time by title.

On the further motion of Mr. Stewart, the rule was further suspended, the bill considered as engrossed, read the third time and passed.

Ordered, That the title thereof be as stated.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

Mr. President—The House of Representatives have passed Senate bills of the following titles, to wit:

A bill to be entitled an act to amend an act concerning divorce and alimony;

A bill to be entitled an act for the benefit of J. T. Simms, clerk of the Superior Court of Chancery, and have made an amendment to each of said bills;

In which I am instructed to desire the concurrence of the Senate.

Mr. Sharkey, from a select committee, made the following report, to wit:

Mr. President—The select committee to whom was referred a bill to be entitled an act to repeal the levee laws of Warren county, so far as the same are now in force south of the city of Vicksburg, to the southern boundary of said county, on the Mississippi river, have had the same under consideration, and have instructed me to report the following amendment: Strike out all after the enacting clause, and insert, and recommend its passage; which amendment is as follows, to wit:

A Bill to be entitled an act to amend an act entitled an act to provide for the erecting levees on the banks of the Mississippi river, in Warren county, approved February 23d, 1846.

Section 1. *Be it enacted by the Legislature of the State of Mississippi*, That the levee inspectors which have, or may hereafter be appointed, under the provisions of the above recited act, may proceed to lay out the line of a levee on or near the bank of the Mississippi river, as low down on said river as the lower part of a tract of land formerly owned by Jonathan Conger, and now by Samuel Richardson, and no further.

Sec. 2. *Be it further enacted*, That said inspectors may, if so directed by the board of police of Warren county, proceed to lay out the line of a levee according to the provisions of the act to which this is an amendment, through the swamp, to the nearest and best point on the Mississippi river below the bend of said cross levee; may leave the river at any point named in the first section of this act: *Provided*, That no lands lying below or southwest of such cross line shall be taxed for the erection or repairing of said levee, either through the swamp or on the bank of the river; *And provided, further*, That said cross levee shall not commence or run within one-half mile of the cross levee of Henry Turner.

Sec. 3. *Be it further enacted*, That hereafter the levee inspectors shall have no power or authority to construct or repair any levee on the bank of the river, below that point designated in this act, nor shall the board of police tax any such lands as lie below said levee, in the bend, for levee purposes.

Sec. 4. *Be it further enacted*, That the board of police shall not cause to be erected the cross levee mentioned in the second section of this act unless upon the written petition of a majority of the land owners to be taxed for the construction of said levee, which may be ascertained by the presentation of such written petition, with the affidavit of some credible witness, that they constitute a majority of the known land owners to be taxed.

Sec. 5. *Be it further enacted*, That the provisions of this act shall not be so construed as to hinder or affect the collection of any levee tax heretofore assessed, or in any manner to impair the rights of any person to any suit either at law or equity; but all suits which may have been commenced under the law to which this is an amendment, shall be prosecuted to final judgment or decree in the same manner as if this act had not been passed.

Sec. 6. *Be it further enacted*, That the board of police is hereby vested with a discretionary power, and may refuse to have constructed a levee on the bank of the Mississippi river below the plantation of David McCaleb, deceased, unless a majority of the tax payers desire such levee to the lower part of the Conger tract of land before named.

Sec. 7. *Be it further enacted*,, That this act shall take effect and be in force from and after its passage.

Which was read, and, on motion of Mr. Sharkey, was received and agreed to.

On the further motion of Mr. Sharkey, the rule was suspended, the amendment considered as engrossed with the bill, the bill, as amended, read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. White from a select committee, made the following report, to wit:

Mr. President—The special committee to whom was referred a bill to be entitled an act for the relief of Elizabeth King, of Yazoo county, a woman of color, have had the same under consideration, and have instructed me to report the bill and recommend its passage.

Which was read, and, on motion of Mr. White, was received and agreed to; and the bill therein reported, to be entitled an act for the relief of Elizabeth King, a woman of color, was read the third time and passed.

Ordered, That the title thereof be as stated.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

Mr. President—The House of Represeatatives have passed a a bill to be entitled an act for the relief of John A. Hausen;

In which I am instructed to desire the concurrence of the Senate.

The Senate again resumed the consideration of the orders of the day:

A bill to be entitled an act to authorize Thomas Lyons, and

others, to hawk and peddle, free of license, in the counties of Tippah and Marshall, was read the second time.

Mr. Greer offered the following amendment to said bill, to wit:

Strike out "Marshall" wherever it occurs in the bill; which was read, and, on motion of Mr. Greer, was adopted.

A bill to be entitled an act to amend an act approved February 24, 1844, entitled an act to insure the collection of jury tax fees, and for other purposes, was read the third time and lost.

A bill to be entitled an act to promote common schools in the several counties in this State, was read the third time.

Mr. Torrey moved that the Senate resolve itself into committee of the whole on said bill, forthwith; which was lost.

On motion of Mr. Kennedy, the vote just taken refusing to go into committee of the whole on said bill, was reconsidered.

The Senate forthwith resolved itself into committee of the whole on said bill, Mr. Alcorn in the chair; and, after some time spent therein, the committee rose, and Mr. Alcorn reported said bill back to the Senate, and recommended its passage.

Mr. Alcorn moved that the report be received and agreed to.

Mr. Kennedy called for a division of the question.

The vote was first taken on receiving the report; which was decided in the affirmative.

The vote was next taken on agreeing to the report; which was decided in the affirmative.

Mr. Brooke moved that the rule be suspended, the amendments considered as engrossed, and the bill be put upon its passage; which was lost.

On motion of Mr. Brooke, said amendments were ordered to be engrossed with the bill, and that the bill be made the special order of the day for half-past nine o'clock to-morrow morning.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

MR. PRESIDENT—The Speaker of the House of Representatives has signed bills of the following titles, viz:

An act to authorize the State Commissioner to sell the lands belonging to the Seminary Fund, lying in the different counties of this State;

An act to incorporate Magnolia Hotel Company;

An act to amend an act concerning coroners, passed June 13, 1822;

An act to repeal an act passed in 1846, abolishing the office of assessor, and making the sheriff, *ex officio*, the assessor;

An act supplemental to an act entitled an act to incorporate the Yazoo and Big Black Plank Road Company;

An act to incorporate the Vicksburg Manufacturing Company;

An act concerning common schools in the county of Jefferson;

An act to amend the several acts concerning estrays;

An act to incorporate the Mutual Insurance Company;

An act to incorporate the town of Warrenton, in the county of Warren;

An act to remove the civil disabilities of Lucinda Moser, a *feme covert*, of Tishemingo county;

An act to incorporate Kemper College;

An act to remove the civil disabilities of George Washington Lafayette Byrd, and others;

An act to authorize the board of police of Lawrence county to transcribe certain records in the office of the probate court of said county;

An act to amend an act, entitled, an act to change the mode of collecting Revenue of Hawkers and Pedlars, approved February 28th, 1846;

An act for the benefit of Samuel Reid, a minor, of Tishemingo county, and others;

An act to authorise the citizens of fractional township number 17, range 19 east, in Lowndes county, to organize a Board of Trustees, consisting of three members;

An act to incorporate Hill City Lodge, No. 121, of Free and Accepted Masons, in the City of Vicksburgh, and other Lodges therein named;

Which I am instructed to present to the Senate for the signature of the President.

The President signed the bills therein named.

The following message was received from his Excellency the Governor, through his private Secretary, Mr. McDonald, to-wit:

Mr. President—His Excellency the Governor has this day approved and signed bills of the following titles, to-wit:

Report of the committee on State and Federal Relations, on the special message of the Governor;

Report of the joint select committee on State and Federal Relations, through their chairman, John I. Guion;

An act to incorporate the Almucha Academy;

An act to incorporate the town of Camargo, in the county of Monroe;

An act to provide for the purchase of additional machinery for the manufacture of Cotton and Wool in the Penitentiary, and for other purposes;

An act to incorporate the Lexington and Yazoo Railroad Company.

A message in writing was received from his Excellency the Governor, through his private secretary, Mr. McDonald, which message was laid on the table.

The Senate again resumed the consideration of the orders of the day.

A bill to be entitled, an act to provide for the office of State Superintendent of Public Instruction, and for other purposes, was read the first time.

Mr. Bell moved that the rule be suspended, the bill be read the third time and put upon its passage; which motion was lost.

The Senate resolved itself into committee of the whole, on a bill to be entitled, an act amendatory of the Revenue Laws of this State; Mr. Cannon in the chair, and after some time spent therein, the committee rose, and Mr. Cannon reported said bill back to the Senate, with sundry amendments, and recommenced its passage.

On motion of Mr. Cannon the report was received and agreed to.

On motion of Mr. Kennedy, the rule was further suspended, the amendments considered as engrossed with the bill, the bill as amended, read the third time and passed.

Ordered, That the title thereof be as stated.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to-wit:

Mr. President—The House of Representatives have passed a bill to be entitled, an act to enable Telamacus S. Wyatt to settle and compromise with the heirs of James Scott, deceased, by the constitutional majority, the objections to the contrary notwithstanding.

Which is herewith presented to the Senate for their consideration, together with the objections of the Governor.

A message in writing was received from his Excellency the Governor, through his private secretary, Mr. McDonald.

Mr. Berry, from the committee on Conference, made the following report, to-wit:

Mr. President—The committee of conference to whom was referred a bill to be entitled, an act to confirm to Samuel H. King the privileges granted him by the board of police of Tippah county, on the 11th day of April, 1848, have had the matter of disagreement between the two Houses under consideration, and have instructed me to recommend that the Senate recede from the amendments. All of which is respectfully submitted.

Which was read, and, on motion of Mr. Berry, was received and agreed to.

On the further motion of Mr. Berry, the Senate receded from said amendments.

Mr. Berry, from the committee on Enrolled Bills, made the following report, to-wit:

Mr. President—The joint standing committee on Enrolled Bills have this day examined bills of the following titles, to-wit:

An act to authorize the State Commissioner to sell the Lands belonging to the Seminary fund, lying in the different counties in this State;

An act to incorporate Magnolia Hotel Company;

An act to amend an act concerning Coroners, passed June 13th, 1822;

An act to repeal an act passed in 1846, abolishing the office of Assessor, and making the sheriff ex-officio, the assessor;

An act supplemental to an act, entitled, on act to incorporate the Yazoo and Big Black Plank Road Company, and for other purposes, approved Feb. 8, 1850;

An act to incorporate the Vicksburg Manufacturing Company;

An act concerning Common Schools in the county of Jefferson;

An act to amend the several laws concerning Estrays;

An act to incorporate the Mutual Insurance Company;

An act to incorporate the town of Warrenton, in the county of Warren;

An act to remove the civil disabilities of George Washington Lafayette Byrd, a minor of Holmes county, and others;

An act to authorize the Board of Police of Lawrence county to transcribe certain Records in the office of the Probate Court of said county;

An act to amend an act entitled, an act to change the mode of collecting Revenue of Hawkers and Pedlars, approved February 28th, 1846;

An act for the benefit of Samuel Reid, a minor of Tishemingo county, and others;

An act to authorize the citizens of fractional township number 18, range 19 east, in Lowndes county, to organize a Board of Trustees, consisting of three members;

An act to incorporate Hill City Lodge, No. 121, of Free and Accepted Masons, in the City of Vicksburg, and other Lodges therein named;

And have found the same correctly enrolled.

Mr. Pettus asked and obtained leave to introduce a bill to be entitled, an act to revive and continue an act, entitled, an act to incorporate the Southern Railroad Company, approved 23d February, 1846, which was read the first time.

On motion of Mr. Pettus, the rule was suspended, and the bill read the second time by title.

Mr. Pettus offered the following amendment to said bill, to-wit:

"And provided further, said road be fully completed by said company, to the Alabama line, within six years after the passage of this act," which was read, and on motion of Mr. Singleton, was adopted.

On motion of Mr. Sharkey, the rule was further suspended, the bill as amended, considered as engrossed, read the third time and passed.

Mr. Drane called for the ayes and nays thereon, which are as follows, to-wit:

AYES—Mr. President, Messrs. Alcorn, Brooke, Cannon, Carter, Davis, Golladay, Hodges, Hughes, Kennedy, McDugald, McAfee, Pettus, Ramsay, Singleton, Stone, Stewart, Sharkey, Torrey, Thompson, and White—21.

NAYS—Messrs. Bell, Berry Beene, Drane, Gilleland, Greer, Reynolds, Talliaferro, and Tait—9.

Ordered, That the title thereof be as stated.

Mr. Berry, from the committee on Enrolled Bills, made the following report, to-wit:

Mr. President—The joint standing committee on Enrolled Bills, have this day presented to his Excellency, the Governor, for his approval and signature, bills of the following titles, to-wit:

An act to incorporate the Hill City Lodge, No. 121, of Free and Accepted Masons, in the City of Vicksburg, and other Lodges therein named;

An act to incorporate Kemper College;

An act to authorize the citizens of fractional township number 17, range 19 east, in Lowndes county, to organize a Board of Trustees, consisting of three members;

An act to remove the civil disabilities of Lucinda Moser, a *feme covert*, of Tishemingo county;

An act to incorporate the town of Warrenton, in the county of Warren;

An act to remove the civil disabilities of George Washington Byrd and others;

An act to authorize the Board of Police of Lawrence county to transcribe certain Records in the office of the Probate Court of said county;

An act to amend an act, entitled, an act to change the mode of collecting Revenue of Hawkers and Pedlars, approved February 28th, 1846;

An act for the benefit of Samuel Reid, a minor of Tishemingo county, and others;

An act to incorporate the Vicksburg Manufacturing Company;

An act supplementary to an act, entitled, an act to incorporate the Yazoo and Big Black Plank Road Company, and for other purposes, approved Feb. 8, 1850;

An act concerning Common Schools in the county of Jefferson;

An act to authorize the State Commissioner to sell the Land belonging to the Seminary Fund, lying in the different counties in this State;

An act to repeal an act passed in 1846, abolishing the office of Assessor, and making the sheriff ex-officio the assessor;

An act to amend an act concerning Coroners, passed June 13, 1822;

An act to amend the several acts concerning Estrays;

An act to incorporate Magnolia Hotel Company;

An act to incorporate the Vicksburg and Warren County Manufacturing Company;

An act to incorporate the Grenada Mutual Insurance Company.

Mr. Stewart asked and obtained leave to offer the following resolution, to-wit:

Resolved, by the Legislature of the State of Mississippi, That the Capitol of this State be, and is hereby tendered for the use of

the convention of delegates of the Southern States, appointed by such States, the Legislature, or people thereof, to meet in Nashville, in June next, and that the Governor of each of the slaveholding States of this Union, to be by them made known to such delegates; which was read the first time.

On motion of Mr. Gilleland, the rule was suspended and the resolution read the second time and adopted

The Senate again resumed the consideration of the orders of the day.

The Senate resolved itself into committee of the whole, on a bill to be entitled, an act making certain appropriations therein named, Mr. Beene in the chair; and after some time spent therein, the committee rose, and Mr. Beene reported said bill back to the Senate with sundry amendments, and asked to be discharged from the further consideration of the subject.

On motion of Mr. Beene, the report was received and agreed to.

Mr. Brooke offered the following amendment, to-wit:

"To William B. Cavanah, for service of son Joseph, as page to the Senate, the sum of one dollar and fifty cents per day, from the 6th of January to the 9th of March," which was read, and, on motion of Mr. Brooke, was adopted.

On motion of Mr. Stone, the rule was further suspended, the bill, as amended, considered as engrossed, read the third time and passed.

Ordered, That the title thereof be as stated.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to-wit:

Mr. President—The House of Representatives has passed a resolution in relation to the Nashville convention;

In which I am instructed to desire the concurrence of the Senate.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to-wit:

Mr. President—The House of Representatives have passed the following joint resolution, viz:

Resolved, by the House of Representatives, the Senate concurring, that the two Houses will meet in the hall of the House of Representatives, on Friday, the 8th inst. at 11 o'clock, A. M., to elect a Reporter of the dicisions of the High Court of Errors and Appeals of this State;

And have instructed me to ask the concurrence of the Senate.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to-wit:

Mr. President—The House of Representatives have passed a Senate bill, entitled, an act to provide for the completion and furnishing of the State lunatic asylum;

And have made an amendment thereto, in which I am instructed to desire the concurrence of the Senate ;

And have concurred in the amendments made by the Senate to the House Bill, entitled an act amendatory of the revenue laws of this State.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to-wit :

MR. PRESIDENT—The House of Representatives have passed a Senate bill for the relief of John B. Nevitt, of Adams county;

And have made an amendment thereto, in which I am instructed to desire the concurrence of the Senate.

Mr. Greer asked and obtained leave to call up a bill to be entitled, an act for the completion and furnishing the State Lunatic Asylum.

On motion of Mr. Greer, the amendment made by the House of Representatives to said bill was concurred in.

Mr. Brooke asked and obtained leave to offer the following resolution, to-wit :

Resolved, the House concurring, that the two Houses go into convention on to-morrow, at two o'clock, to elect the commissioners for the lunatic asylum, which was read the first time.

On motion of Mr. Booke, the rule was suspended, and the resolution read the second time and adopted.

On motion of Mr. Gilleland, the Senate adjourned until three o'clock, P. M.

THREE O'CLOCK, P. M.

The Senate met pursuant to adjournment.

The Senate again resumed the consideration of the orders of the day.

A bill to be entitled, an act to re-organize the Fourth Judicial District composed of the counties of Jackson, Greene, Perry, Jones, Wayne, Jasper, Clarke, Lauderdale, Newton, Neshoba, Kemper, and Noxubee ; was read the first time.

On motion of Mr. Carter, the rule was suspended, and the bill read the second time by title.

On motion of Mr. McDugald, said bill was referred to a select committee of three.

Messrs. McDugald, Carter, and Pettus were appointed said committee.

A bill to be entitled, an act for the benefit of Mary Davis, widow of John R. Davis, deceased, was taken up.

On motion of Mr. Stone, the amendment made by the House of Representatives to said bill, was read.

Mr. Stone offered the following amendment to said amendment, to-wit :

"*And be it further enacted*, That all the real and personal es-

tate of Martin Burk, late of Copiah county, now escheated to the State, shall be relinquished to the representatives of said Martin Burk, and they shall be entitled thereto, as though he had been naturalized."

Which was read, and, on motion of Mr. Stone was adopted.

On the further motion of Mr. Stone, said amendment as amended, was concurred in.

A bill to be entitled, an act extending the fees of Clerks and Returning Officers, of Presidential Elections, and of Grand Jurors and Bailiffs in the Circuit Courts, and for other purposes, was read the first time.

On motion of Mr. Thompson, the rule was suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act to provide a room in the Capitol, for the repository of Minerals, was read the third time and passed.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act to authorize the Board of Police in the county of Sunflower, to levy a tax upon Internal Improvement Land, lying in said county, was read the third time.

Mr. Greer called for the ayes and nays thereon, which are as follows, to-wit:

AYES—Mr. President, Messrs. Alcorn, Brooke, Hodges, Kennedy, Reynolds, Singleton, Stone, Sharkey, Torrey, and Tait—11.

NAYS—Messrs. Bell, Berry, Beene, Cannon, Carter, Drane, Davis, Greer, McAfee, Pettus, Ramsay, Talliaferro, and Thompson—13.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to-wit:

MR. PRESIDENT—The House of Representatives have passed a Senate bill with the following title, to wit:

A bill to be entitled an act to authorise the Board of Police to designate the place of execution of convicts in certain cases;

Also, a House bill entitled an act to remove obstructions from navigable streams in Warren and Issaquena counties;

In which I am instructed to desire the concurrence of the Senate.

An amendment made by the House of Repoesentatives to a bill to be entitled an act to establish Murdock's Ferry, was read, and, on motion of Mr. Brooke, was concurred in.

Mr. Reynolds asked and obtained leave to introduce a bill to be entitled an act to amend the school law of 1846, so far as the same relates to the county of Coahoma; which was read the first time.

On motion of Mr. Reynolds, the rule was suspended, and the bill read a second time by title.

On the further motion of Mr. Reynolds, the rule was further suspended, the bill considered as engrossed, read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Stone asked and obtained leave to call up the following message, received from his Excellency the Governor, to wit:

To the Senate:

I nominate D. O. Williams of Hinds, Wright Fore of Rankin, and Willis R. Norman of Newton, as Commissioners of the Southern Railroad, and ask your advice and consent to their appointment.

J. A. QUITMAN.

Executive Chamber,
Jackson, March 7, 1850.

Which was read.

On motion of Mr. Pettus, the Senate went into Executive session on said message.

On the further motion of Mr. Pettus, the Senate advised and consented to the appointment of D. O. Williams of Hinds, Wright Fore of Rankin, and Willis R. Norman of Newton, as Commissioners of the Southern Railroad, as asked in said message.

On motion of Mr. McAfee, the Executive session rose.

Mr. McAfee asked and obtained leave to call from the table the following message, received from his Excellency the Governor, to wit:

To the Senate:

I return to your honorable body, without my signature, the bill to be entitled an act for the relief of Arabella J. Stewart. This bill proposes specially to confer the privileges of majority upon a minor, and is liable to the objections made in my veto message to the Senate on the 19th February, returning several acts of a similar character. Respectfully referring to the objections made in that message, as reasons for withholding my signature in the present case, I return the bill for the further consideration of the Senate.

J. A. QUITMAN.

Executive Chamber,
Jackson, March 7, 1850.

Which was read, and the question being taken, "Shall the said bill pass, notwithstanding the Executive veto?" it was decided in the negative.

The ayes and nays thereon, are as follows, to wit:

Ayes—Messrs. Brooke, Hodges, Reynolds, Sharkey and Tait—5.

Nays—Mr. President, Messrs. Alcorn, Bell, Berry, Beene, Cannon, Carter, Drane, Davis, Gilleland, Greer, Hughes, Kennedy, McDugald, Pettus, Ramsay, Singleton, Stone, Stewart, Torrey, Talliaferro and Thompson—21.

On motion of Mr. Stone, the bill reported from the House of Representatives to be entitled an act to enable Telemachus S. Wyatt to settle and compromise with the heirs of James Scott, deceased, which had been vetoed by the Governor, and passed by the constitutional majority in the House, notwithstanding the Executive veto, was called up and read, and the question being taken, "Shall this bill pass, notwithstanding the Executive veto?" it was decided in the negative.

The ayes and nays thereon are as follows, to wit:

AYES—Mr. President, Messrs. Brooke, Berry, Cannon, Carter, Davis, Hodges, Hughes, Kennedy, Pettus, Reynolds, Singleton, Stone, Stewart, Sharkey and Tait—16.

NAYS—Messrs. Bell, Beene, Drane, Gilleland, Greer, McDugald, Ramsay, Torrey, Talliaferro and Thompson—10.

Mr. Stone asked and obtained leave to call from the table the following message received from his Excellency the Governor, to wit:

To the Senate and House of Representatives of the State of Mississippi:

I deem it my duty to call the attention of the Legislature to the condition of the ordinance, public arms, and military equipments belonging to the State. For want of a proper place of deposit, and some appropriation to preserve them from rust and decay, they are liable to become entirely unserviceable and useless. I submit to the Legislature the report of the Adjutant General on this subject, and respectfully recommend that some provision be made by law for the erection upon the rublic grounds, in this city, of an arsenal or place of deposit, of the public arms, &c., and that some appropriation be made for their preservation and repair.

J. A. QUITMAN.

EXECUTIVE CHAMBER,
Jackson, March 2, 1850.

ADJUTANT GENERAL'S OFFICE,
City of Jackson, February 16, 1850.

His Excellency J. A. QUIMMAN,

Sir: I beg leave to call your Excellency's attention to the condition of the public arms belonging to the State. During the term of my predecessor, there was received by the State her quota of arms from the General Government, and there being no place provided by law in which to store them, the arms were distributed and placed in various rooms in the State House.

The great weight of the arms thus deposited, is greatly injuring the floors of the Capitol.

I respectfully submit this information for the action of your Ex-

cellency. The room set apart as the Quarter Master's department, is too small to hold any of the arms last received.

Respectfully, your ob't servant,

GEO. W. L. SMITH,
Adjt. General of State of Miss.

I hereby certify that the foregoing letter is a true copy of the original as filed in this office.

JAMES McDONALD,
Private Secretary, etc.

Executive Office, March 4, '50.

Which was read.

On motion of Mr. Hodges, said message was laid on the table.

Mr. Stewart asked and obtained leave to call up a bill to be entitled, an act to amend an act entitled, an act concerning Divorce and Alimony, passed June 15, 1822.

On motion of Mr. Stewart, the amendment made by the House of Representatives to said bill, was concurred in.

On motion of Mr. Talliaferro, the vote just taken, refusing to pass the bill to be entitled an act to enable Telemacus S. Wyatt to settle and compromise with the heirs of James Scott, deceased, by the constitutional majority over the Executive veto, was re-considered.

The vote was then taken, "Shall the bill pass, notwithstanding the Executive veto?"

It was decided in the affirmative.

The ayes and nays thereon, are as follows, to wit:

AYES—Mr. President, Messrs. Alcorn, Brooke, Berry, Cannon, Carter, Davis, Golladay, Hodges, Hughes, Kennedy, McDugald, Pettus, Ramsay, Reynolds, Singleton, Stone, Stewart, Sharkey, and Tait—20.

NAYS—Messrs. Beene, Gilleland, Greer, Torrey, and Talliaferro—5.

Mr. Brooke asked and obtained leave to call up a resolution passed by the House of Representatives, relative to the election of a "Reporter of the decisions of the High Court of Errors and Appeals of this State;"

Which was read, and, on motion of Mr. Cannon was concurred in.

Mr. Brooke asked and obtained leave to call up a bill to be entitled an act to change the forms of pleadings in the circuit court of this State, which was read the first time.

On motion of Mr. Brooke, the rule was suspended, and the bill read the second time by title.

Mr. Brooke moved that the rule be further suspended, the bill read the third time, and put upon its passage, which was lost.

On motion of Mr. Brooke, said bill was made the special order of the day for 11 o'clock on to-morrow.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

MR. PRESIDENT—The Speaker of the House of Representatives has signed an act to provide for the completion and furnishing the State lunatic asylum.

Which I am instructed to present to the Senate for the signature of the President.

Mr. Gilleland, from the standing committee on Enrolled Bills, made the following report, to-wit:

MR. PRESIDENT—The joint standing committee on Enrolled Bills, have this day examined a bill of the following title, to-wit:

An act to provide for the completion and furnishing the State Lunatic Asylum.

And have found the same correctly enrolled.

Mr. McDugald, from a select committee, made the following report, to-wit:

MR. PRESIDENT—The committee to whom was referred the petition of Jacob Unger and others, have had the same under consideration, and instructed me to report favorably to the same, accompanied by a bill, and recommend its passage.

Which was read, and, on motion of Mr. McDugald, was received and agreed to;

And the bill therein reported, to be entitled, an act to grant to the Jewish Congregation, when duly organized, in the City of Jackson, a lot of ground in said city, was read the first time.

On motion of Mr. McDugald, the rule was suspended, and the bill read the second time by title.

On motion of Mr. McDugald, the rule was further suspended, the bill considered as engrossed, read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Reynolds asked and obtained leave to introduce a bill to be entitled, an act to appropriate the Sinking Fund to the payment of the interest now due on the Bonds of the State of Mississippi, issued to purchase Stock in the Planter's Bank, which was read the first time.

Mr. Reynolds moved that the rule be suspended, and that the bill be read the second time by title, which was lost.

Mr. Sharkey asked and obtained leave to introduce a bill to be entitled an act to prevent the obstruction of Cars running on any of the Railroads in this State, which was read the first time.

On motion of Mr. Sharkey, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Sharkey, the rule was further suspended, the bill considered as engrossed, read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Gilleland, from the committee on Enrolled Bills, made the following report, to-wit:

Mr. President — The joint standing committee on Enrolled Bills, have this day presented to his Excellency the Governor, for his approval and signature, a bill of the following title, to-wit:

An act to provide for the completion and furnishing the State Lunatic Ayslum.

On motion of Mr. Cannon, the Senate adjourned until to-morrow morning, 9 o'clock.

FRIDAY, March 8, 1850.

The Senate met pursuant to adjournment.

On motion of Mr. Drane, a call of the Senate was had.

On motion of Mr. Drane, the further call of the Senate was dispensed with.

The journal of yesterday was read.

Mr. Ramsey asked and obtained leave to introduce a bill to be entitled, an act to repeal certain sections of the act to amend and alter the Militia Laws of this State, approved March 4, 1848, which was read the first time.

On motion of Mr. Ramsay, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Ramsay, the rule was further suspended, the bill considered as engrossed, read the third time and passed.

Ordered, That the title thereof be as stated.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to-wit:

Mr. President—The House of Representatives have concurred in the joint resolution of the Senate, that the two Houses meet in the Representative hall, on to-day at 10 o'clock, A. M., for the purpose of electing Commissioners of the Lunatic Asylum.

Mr. Stone asked and obtained leave to introduce a bill to be entitled, an act to provide for the safe-keeping of the Public Arms, which was read the first time.

On motion of Mr. Stone, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Stone, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

The following message was received from his Excellency the Governor, through his private Secretary, Mr. McDonald, to wit:

Mr. President—His Excellency, the Governor, has this day approved and signed bills of the following titles, to-wit:

An act to incorporate the town of Warrenton, in Warren county;

An act to amend an act, entitled, an act to change the mode of collecting Revenue of Hawkers and Pedlars, approved February 28th, 1846;

An act for the benefit of Samuel Reid, a minor, of Tishemingo county, and others;

An act to remove the civil disabilities of Lucinda Moser, a *feme covert*, of Tishemingo county;

An act to authorize the board of police of Lawrence county to transcribe certain records in the office of the probate court of said county;

An act to remove the civil disabilities of George Washington Lafayette Byrd, and others;

An act to incorporate Kemper College;

An act to incorporate Hill City Lodge, No. 121, of Free and Accepted Masons, in the City of Vicksburg, and other Lodges therein named;

An act to authorise the citizens of fractional township number 17, range 19 east, in Lowndes county, to organize a Board of Trustees, consisting of three members;

An act to provide for the completion and furnishing the State Lunatic Asylum;

The Senate again resumed the consideration of the orders of the day.

A bill to be entitled, an act to promote Common Schools in the several counties in this State, was read the third time and passed.

Mr. Sharkey called for the ayes and nays thereon, which are as follows, to-wit:

AYES—Messrs. Brooke, Berry, Beene, Carter, Drane, Davis, Golladay, Gilleland, Hodges, Kennedy, McDugald, McAfee, Pettus, Ramsay, Reynolds, Singleton, Stone, Torrey, Thompson, and Tait—20.

NAYS—Mr. President, Messrs. Bell, Cannon, Greer, Hughes, Stewart, Sharkey, Talliaferro, and White—8.

Ordered, That the title thereof be as stated.

A bill to be entitled, an act to authorize Thomas Lyons and others, to hawk and peddle, free of license, in the counties of Tippah and Marshall, was read the third time and lost.

A bill to be entitled, an act to provide for the office of State Superintendent of public instruction, and for other purposes, was read the third time and lost.

Mr. Hodges called for the ayes and nays thereon, which are as follows, to-wit:

AYES—Messrs. Brooke, Bell, Carter, Gilleland, Kennedy, Reynolds, Stone, Tait, and White—9.

NAYS—Mr. President, Messrs. Berry, Beene, Drane, Davis, Greer, Hodges, Hughes, McDugald, McAfee, Pettus, Ramsay,

Singleton, Stewart, Sharkey, Torrey, Talliaferro, and Thompson—19.

An amendment made by the House of Representatives to a bill to be entitled, an act for the benefit of John B. Nevitt, of Adams county, was read, and on motion of Mr. Stewart, was concurred in.

An amendment made by the Senate to a bill from the House of Representatives, to be entitled, an act to dispose of certain Books now in the State Library, which amendment the House refuses to agree to, was read.

On motion of Mr. Brooke, said bill and amendment were laid on the table.

An amendment made by the House of Representatives, to a bill to be entitled, an act to incorporate the Jacinto Male Academy, and for other purposes, which amendment has been disagreed to by the Senate, and insisted on by the House, was read.

Mr. Reynolds moved that a committee of conference consisting of three on the part of the Senate, and — on the part of the House of Representatives, be appointed on said bill.

Messrs. Reynolds, Berry, and Brooke were appointed said committee on the part of the Senate.

A bill to be entitled, an act for the relief of John A. Hausen, was read the first time.

On motion of Mr. Hodges, the rule was suspended, and the bill read the second time by title.

Mr. Hodges moved that the rule be further suspended, the bill be considered as engrossed, read the third time, and put upon its passage, which motion was lost.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

Mr. President—The House of Representatives have passed Senate bills of the following titles:

A bill to be entitled, an act to amend the Constitution of the State of Mississippi;

A bill proposing an amendment to the Constitution of the State of Mississippi;

Also, Senate resolution to amend the Constitution of the State of Mississippi;

All of which passed by the constitutional majority.

The Senate again resumed the consideration of the orders of the day.

A resolution in relation to the Estate of Mount Vernon, was read the first time.

On motion of Mr. Sharkey, the rule was suspended, the resolution read the second time forthwith.

On the further motion of Mr. Sharkey, the rule was further suspended, the resolution read the third time and passed.

Ordered, That the title thereof be as stated.

On motion of Mr. Brooke, the Senate proceeded to the consid-

eration of the special orders of the day; and took up a bill to be entitled, an act to change the forms of Pleading in the Courts of this State.

Mr. Sharkey offered the following amendment to said bill, to-wit:

Sec. 1. Amend by adding as follows: "Provided, that causes now pending, shall not be subject to the provisions of this act, but the same proceed to final judgment, or decree, under the system of pleading in use at the time of their commencement."

Which was read, and, on motion of Mr. Brooke, was laid on the table.

On motion of Mr. Brooke, the rule was suspended, the bill read the third time and passed.

Mr. Sharkey called for the ayes and nays thereon, which are as follows, to-wit:

AYES—Messrs. Brooke, Berry, Beene, Cannon, Carter, Drane, Davis, Gilleland, Greer, Hodges, Kennedy, McDugald, McAffee, Pettus, Ramsay, Reynolds, Stone, Thompson, and Tait—19.

NAYS—Mr. President, Messrs. Bell, Hughes, Singleton, Stewart, Sharkey, Torrey, Talliaferro, and White—9.

Ordered, That the title thereof be as stated.

A sealed message in writing, was received from his Excellency, the Governor, through his private secretary, Mr. McDonald, which was laid on the table.

On motion of Mr. Sharkey, leave of absence was granted to Mr. Brooke, for the balance of the session.

Mr. Berry, from the committee on Enrolled Bills, made the following report:

MR. PRESIDENT—The joint standing committee on Enrolled Bills have this day examined bills of the following titles, viz:

An act providing for the election of additional members to Congress, and for other purposes;

An act to confirm to Samuel H. King the privileges granted him by the board of police in Tippah county, on the 11th day of April, 1848;

A resolution in relation to school lands;

An act to repeal an act entitled an act to incorporate the Deer Creek Navigation Company, approved March 4th, 1848, and for other purposes;

An act to legalize the sales of the sixteenth sections in the county of Smith and State of Mississippi;

An act to declare Twenty-five Mile Creek, from its confluence with Brown's Creek to Wiley Belcher's Mills, in Tishemingo county, a navigable stream;

An act to amend an act to legalize the public roads in Coahoma county;

An act to change the mode of electing the reporter of the de-

cisions of the High Court of Errors and Appeals of this State, and for other purposes;

An act to amend an act for the relief of John Patterson, approved January 22, 1848;

An act to amend the several acts incorporating the Lauderdale Academy;

An act for the benefit of the Fire Company, No. 1, in the city of Jackson;

An act to incorporate Kemper Iron Works Company;

An act for the relief of Maria F. Cohea, orphan child of Perry Cohea, deceased;

An act to prohibit the sale of ardent spirits, such as brandy, rum, gin or whisky, within four miles of the court-house of Harrison county, located in Mississippi City;

And act to prescribe the mode of managing the school funds in Tippah county, and for other purposes;

An act for the benefit of Robert H. Hill, deceased, late of Leake county;

An act for the benefit of L. L. Bridges, sheriff of Coahoma county;

An act to provide for transcribing of certain records in Bolivar county;

An act to reduce the fees of the county treasurer of Copiah county, as escheator;

An act to amend an act to provide for the sale of lands purchased by the State at tax sales, approved March 4, 1848, so far as relates to Holmes county;

An act to submit to the legal voters of the town of Monticello and vicinity, within two miles of the court-house in said town, the question whether vinous and spiritous liquors shall be sold within said town and vicinity;

An act to amend an act entitled an act to aid in the establishment of an institution for the instruction of the blind, passed March 2, 1848;

An act to incorporate the Jackson and Canton Plank Road Company;

An act entitled an act to authorize the president and board of trustees of township five, range five east, in Rankin county, to make titles to the sixteenth section of said township;

An act to repeal the second section of an act entitled an act to aid the citizens of Vicksburg in building a hospital;

An act to authorize A. A. McKenzie to hawk and peddle in the county of De Soto;

An act to reduce the rate of license to retail vinous and spiritous liquors in certain counties therein named;

An act supplemental to an act to change the time of holding the probate court of Jasper county;

An act to amend an act concerning the jurisdiction and powers

of justices of the peace in this State, approved December 30, 1831, so far as relates to the county of Coahoma;

An act amendatory of the law in relation to the condemnation of timber for repairing bridges and causeways in Monroe county;

Resolution in relation to the Secretary of the Senate and Clerk of the House of Representatives;

An act to secure the collection of taxes on delinquent lands, and for other purposes;

An act to repeal an act conferring corporate privileges on the citizens of the town of Rodney;

An act to incorporate the Panola and Coahoma Plank Road Company;

And have found the same correctly enrolled.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

Mr. President—I am instructed to inform the Senate that the Hall of the House of Representatives is now in readiness for your reception, to the end that the two Houses proceed to the election of a Reporter of the High Court of Errors and Appeals, and Commissioners of the Lunatic Asylum.

The House of Representatives have passed a Senate resolution relative to the Nashville Convention.

And forthwith the Senate, preceded by the Sargeant-at-Arms, repaired to the House of Representatives, and took the seats assigned them in the Hall of the House.

The President of the Senate having announced the object of the joint meeting of the two Houses, they proceeded to the election of Reporter of the High Court of Errors and Appeals.

Mr. Talbert, of the House, nominated J. F. Cushman, of Lafayette county.

Mr. Singleton, of the Senate, nominated E. G. Henry, of Madison county.

On motion of Mr. Cannon, the election was had *viva voce*.

Messrs Singleton and Seal acted as tellers.

The Senators voting for J. F. Cushman are:

Messrs. Bell, Berry, Beene, Cannon, Carter, Drane, Golladay, Greer, Kennedy, McDugald, McAfee, Pettus, Ramsay, Reynolds, Stone, Torrey, Taliaferro, Thompson and Tait—19.

Representatives voting for Mr. Cushman are:

Mr. Speaker, Messrs. Adams, Anderson, Ashe, Barton, Brown, Buford, Bynum, Byrne, Bell, Barry, Barden, Beene, Baker, of Pontotoc, Collins, Crews, Calhoun, Chisholm, Day, Estelle, Echols, Ellis, Guy, Gatlin, Griffin, Hinds, Hemingway, Harrison, Jenkins, Johnson, Kirkland, Lewis, Malone, Mott, McAfee, Magee, Myers, Noble Neill, Nash, Rozell, Rogers, Suratt, Stuart, of Marion, Thomas, of Marshall, Thames, Trussell, Talbert, Thurmond, Tison, Vaiden, Weathersby, Webb, Wall and Young—55.

Total for J. F. Cushman—74.

Those voting for E. G. Henry are:

Senators—Mr. President, Messrs. Brooke, Davis, Golladay, Hodges, Hughes, Singleton, Stewart, Sharkey and White—10.

Representatives—Messrs. Armstrong, Arthur, Blythe, Brooks, Baker, of Hinds, Cassidy, Clement, Catchinus, Durham, Dampier, Ford, Farrar, Hughes, Henry, Kimball, Lynch, Martin, Metcalf, Marble, McInnis, McNabb, Regan, of Claiborne, Regan, of Yazoo, Rawls, Stewart of Wilkinson, Starke, Seal, Thomas, of Yazoo, Wilcox and West—30.

Total for E. G. Henry—40.

Mr. J. F. Cushman having received a majority of all the votes cast, was announced by the President of the Senate to be duly and constitutionally elected Reporter of the High Court of Errors and Appeals, for the term prescribed by law.

The two Houses then proceeded to the election of five Commissioners for the State Lunatic Asylum.

Mr. Cannon, of the Senate, nominated W. S. Langley, of Hinds county.

Mr. Lynch, of the House, nominated C. S. Tarpley, of Hinds county.

Mr. Lynch, of the House, nominated William Morris, of Hinds county.

Mr. Lynch, of the House, nominated C. H. Manship, of Hinds county.

Mr. Vaiden, of the House, nominated C. B. Harrison, of Hinds county.

Mr. Catchings, of the House, nominated Edward Pickett, of Hinds county.

Mr. Lynch, of the House, nominated H. Hilzheim, of Hinds county.

Mr. Ford, of the House, nominated J. J. Pugh, of Madison county.

Mr. Cassidy, of the House, nominated Thomas Goode, of Hinds county.

Mr. Starke, of the House, nominated Charles Scott, of Hinds county.

Mr. Arthur, of the House, nominated Fulton Anderson, of Hinds county.

Mr. Hemingway, of the House, nominated D. O. Williams, of Hinds county.

Mr. Adams, of the House, nominated William Hardeman, of Hinds county.

The two Houses proceeded to ballot, under the direction of the same tellers, which, upon being counted, it appeared that

W. S. Langley received..... 86 votes.
C. S. Tarpley received..... 72 "
William Morris received..... 50 "

C. H. Manship received	53	votes.
C. B, Harrison received	28	"
Edward Pickett received	19	"
H. Hilzheim received	19	"
J. J. Pugh received	28	"
Thomas Goode received	29	"
Charles Scott received	53	"
Fulton Anderson received	30	"
D. O. Williams received	49	"
William Hardeman received	10	"
Mr. Moody received	8	"
Mr. Clifton received	1	vote.
Mr. Cabiness received	1	"

Whole number of votes cast	110
Necessary to a choice	56

W. S. Langley and C. S. Tarpley having received a majority of all the votes cast, were declared by the President to be duly and constitutionally elected Commissioners of the State Lunatic Asylum, for the term prescribhd by law.

The two Houses proceeded to ballot a seoond time, to elect three other commissioners, which, upon being counted, it appeared that

C. H. Manship received	63	votes.
Charles Scott received	68	"
D. O. Williams received	51	"
William Morris received	46	"
Fulton Anderson received	21	"
C. B. Harrison received	20	"
J. J. Pugh received	8	"
Thomas Goode received	11	"
H. Hilzheim received	3	"
William Hardeman received	1	vote.

Whole number of votes cast	99
Necessary to a choice	50

C. H. Manship, Charles Scott and D. O. Williams having received a majority of all the votes cast, were declared by the President of the Senate to be duly and constitutionally elected Commissioners of the State Lunatic Asylum, for the term prescribed by law.

The two Houses having accomplished the object of their joint assemblage, the Senate withdrew to their chamber.

On motion of Mr. Greer, the Senate adjourned until half-past three o'clock, P. M.

HALF-PAST THREE O'CLOCK, P. M.

The Senate met pursuant to adjournment.

Mr. Pettus asked and obtained leave to introduce a bill to be entitled an act to incorporate the Kemper Plank Road Company; which was read the first time.

On motion of Mr. Pettus, the rule was suspended and the bill read the second time by title.

On the further motion of Mr. Pettus, the rule was further suspended, the bill considered as engrossed, read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Carter asked and obtained leave to introduce a bill to be entitled an act supplemental to an act entitled an act to provide common schools in the several counties in this State, so far as the same relates to the county of Lauderdale; which was read the first time.

On motion of Mr. Carter, the rule was suspended and the bill read the second time by title.

On the further motion of Mr. Carter, the rule was further suspended, the bill considered as engrossed, read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Cannon asked and obtained leave to call up the following message, received from his Excellency, the Governor, to wit:

TO THE SENATE:

I respectfully ask the advice and consent of the Senate to the appointment of Caswell C. Clifton, James C. Napier and Charles Manship, as Inspectors of the State Penitentiary, at Jackson.

J. A. QUITMAN.

EXECUTIVE CHAMBER,
Jackson, March 8, 1850.

Which was read.

On motion of Mr. Cannon, the Senate went into Executive session on said message, with open doors.

On the further motion of Mr. Cannon, the Senate advised and consented to the appointment of Caswell R. Clifton, James C. Napier, and Charles Manship, as Inspectors of the State Penitentiary at Jackson, as asked in said message.

On the further motion of Mr. Cannon, the Executive session rose.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

MR. PRESIDENT—The Speaker of the House of Representatives has signed bills of the following titles, to wit:

An act providing for the election of additional members to Congress, and for other purposes;

An act to confirm to Samuel H. King the privileges granted him by the board of police in Tippah county, on the 11th day of April, 1848;

A resolution in relation to school lands;

An act to repeal an act entitled an act to incorporate the Deer Creek Navigation Company, approved March 4th, 1848, and for other purposes;

An act to legalize the sales of sixteenth sections in the county of Smith and State of Mississippi;

An act to declare Twenty Mile Creek, from its confluence with Brown's creek to Wiley Belcher's mills, in Tishemingo county, a navigable stream;

An act to amend an act entitled an act to legalize the public roads in Coahoma county;

An act to change the mode of electing the Reporter of the decrees of the High Court of Errors and Appeals of the State, and for other purposes;

An act to amend an act for the relief of John Patterson, approved January 22d, 1848;

An act to amend the several acts incorporating the Louisville Academy;

An act for the benefit of the Fire Company, No. 1, in the city of Vicksburg;

An act to incorporate the Kemper Iron Works Company;

An act for the relief of Maria F. Cohea, orphan child of Perry Cohea, deceased;

An act to prohibit the sale of ardent spirits, such as brandy, rum, gin and whisky, within four miles of the court-house of Harrison county, located in Mississippi City;

An act to prescribe the mode of applying school funds in Tippah county, and for other purposes;

An act for the benefit of the heirs of Robert H. Gill, deceased, late of Leake county;

An act for the benefit of L. L. Bridges, sheriff of Coahoma county;

An act to provide for the transcribing of certain records in Bolivar county;

An act to reduce the fees of the county treasurer of Copiah county, as escheator;

An act to amend an act to provide for the sale of the lands purchased by the State at tax sales, approved March 4th, 1848, so far relates to Holmes county;

An act to submit to the legal voters of the town of Monticello and vicinity, within two miles of the court-house of said town, the question whether vinous and spiritous liquors shall be sold within said town and vicinity;

An act to amend an act entitled an act to aid in the esiablishment of an institution for the instruction of the blind, passed March 2d, 1848;

An act to incorporate the Jackson and Canton Railroad Company;

An act entitled an act to authorize the president and board of police of township five, of range five east, in Rankin county, to make titles to the sixteenth section of said township;

An act to repeal the second section of an act entitled an act to aid the citizens of Vicksburg in building a hospital;

An act to authorize A. A. McKenzie to hawk and peddle in the county of De Soto;

An act to reduce the rate of license to retail vinous or spiritous liquors, in certain counties therein named;

An act supplemental to an act to change the time of holding the probate court of Jasper county;

An act to amend an act concerning the jurisdiction and powers of justices of the peace in this State, approved December 30th, 1831, so far as relates to the county of Coahoma;

An act amendatory of the law in relation to the condemnation of timber for building and repairing bridges and causeways in Monroe county;

A resolution in relation to the Secretary of the Senate and Clerk of the House of Representatives;

An act to secure the collection of taxes on delinquent lands, and for other purposes;

An act to repeal an act confirming corporate privileges on the citizens of the town of Rodney;

An act to incorporate the Panola and Coahoma Plank Road Company;

Which I am instructed to present to the Senate for the signature of the President.

The House of Representatives have passed Senate bills with the following titles:

A bill to be entitled an act to amend an act entitled an act for the benefit of the poor, approved February 5th, 1818;

A bill to be entitled an act to authorize the mayor and aldermen of the city of Jackson to sell certain lots in said city, for purposes therein named;

A bill to be entitled an act to authorize the judges of the High Court of Errors and Appeals to meet at Oxford and hear tne argument of causes.

The President signed the bills therein named.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

MR. PRESIDENT—The House of Representatives have passed a Senate bill to be entitled an act to revive and continue an act to incorporate the Southern Railroad Company, approved February

23d, 1846, and have made an amendment thereto, in which I am instructed to desire the concurrence of the Senate.

The Senate proceeded to the consideration of the orders of the day.

A bill to be entitled an act to authorise the Board of Police of Warren county to have exclusive jurisdiction in granting to persons the right to establish ferry or ferries in said county, was read the first time.

On motion of Mr. Sharkey, said bill was laid on the table.

A bill to be entitled an act to remove obstructions from navigable streams in Warren and Issaquena counties, was read the third time.

On motion of Mr. White, said bill was laid on the table.

An amendment made by the House of Representatives to a bill to be entitled an act for the benefit of Jonathan T. Simms, Clerk of the Superior Court of Chancery, was read, and on motian of Mr. Cannon, was concurred in.

A bill to be entitled an act to appropriate the Sinking Fund to the payment of the interest now due on the bonds of the State of Mississippi, issued to purchase stock in the Planters' Bank, was read the second time.

Mr. Reynolds offered the following amendment to said bill, to wit:

That the sum of thirty dollars on one instalment of interest shall be paid on each bond on presentation thereof, and according as a sufficient amount shall be received into the said Fund for the purpose, another instalment of interest shall be paid in like manner.

Which was read and adopted.

On motion of Mr. Stone, said bill and amendment was laid on the table.

Mr. Reynolds called for the ayes and nays thereon, which are as follows, to wit:

AYES—Messrs. Berry, Beene, Cannon, Carter, Davis, Golladay, Greer, McAfee, Ramsay, Stone, Torrey, Talliaferro and Thompson—13.

NAYS—Mr. President, Messrs. Bell, Drane, Hodges, Kennedy, Pettus, Reynolds, Singleton, Stewart, Sharkey, Tait and White—12.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

MR. PRESIDENT—The House of Representatives have concurred in the Senate amendments to House bill to be entitled an act to promote common schools in the several counties of this State.

The Senate again resumed the consideration of the orders of day.

A resolution tendering the Capitol of the State of Mississippi to the Delegates of the Southern Convention, for the sitting of said Convention, was read the first time.

On motion of Mr. White, the rule was suspended, and the resolution read the second time and adopted.

On motion of Mr. Cannon, the vote taken on the adoption of said resolution, was reconsidered.

On the further motion of Mr. Cannon, said resolution was laid on the table.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

Mr. President—The Speaker of the House of Representatives has signed a bill to be entitled an act regulating the payment of fees of clerks and returning officers of Presidential elections, and of grand jurors and baliffs in the Circuit courts, and for other purposes; and have instructed me to present the same to the Senate for the signature of the President.

The House of Representatives have concurred in the amendment made by the Senate to the House amendment to a bill to be entitled an act for the benefit of Mary Davis, widow of John R. Davis, deceased.

The President signed the bill therein named.

Mr. Pettus asked and obtained leave to call up a bill to be entitled an act to revive and continue an act entitled an act to incorporate the Southern Railroad Company, approved February 23d, 1846.

On motion of Mr. Pettus, the amendment made by the House of Representatives to said bill was concurred in.

Mr. Gilleland, from the committee on Enrolled Bills, made the following report, viz:

Mr. President—The joint standing committee on Enrolled Bills, have this day examined bills of the following titles, to-wit:

An act regulating the payment of the fees of clerks and returning officers of Presidential elections, and of grand jurors and baliffs in the Circuit courts, and for other purposes;

An act to remit certain damages therein named, and for other purposes;

An act to establish a ferry across Yazoo river, at the residence of Alfred Murdock, in the county of Sunflower, and for other purposes;

An act to authorise the voters of Coahoma county to permanently locate their county seat;

An act to amend an act entitled an act concerning divorce, passed June 15, 1822;

And have found the same correctly enrolled.

Mr. Cannon moved that the Senate adjourn until 9 o'clock, tomorrow morning, which was lost.

On motion of Mr. Pettus, the Senate adjourned until half past 7 o'clock, P. M.

HALF PAST SEVEN O'CLOCK, P. M.

The Senate met pursuant to adjournment.

On motion of Mr. Drane, the Senate adjourned until 9 o'clock. to-morrow morning.

SATURDAY, March 9, 1850.

The Senate met pursuant to adjournment.

The journal of yesterday was read.

The Senate proceeded to the consideration of the orders of the day.

A bill to be entitled, an act for the relief of John A. Hausen, was read the third time and lost.

On motion of Mr. Talliaferro, leave of absence was granted to Mr. Greer, for the balance of the session.

Mr. Cannon asked and obtained leave to offer the following resolution, to-wit:

Resolved, That the thanks of this body be tendered to the President, for the able and impartial manner in which he has discharged his important and delicate duties.

Which was read, and, on motion of Mr. Cannon, was unanimously adopted.

Mr. McDugald asked and obtained leave to offer the following resolution, to-wit:

Resolved, That the Senate, while sympathizing with the President of the Senate, Dabney Lipscomb, and regretting that the condition of his health has deprived the Senate of his valuable services, both as a presiding officer and member, he carries with him home the approval of every member of the Senate for his courtesy to the members, promptness in the discharge of his duties, and his modest and unaffected conduct towards all as a gentleman.

Which was read, and, on motion of Mr. McDugald, was unanimously adopted.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

Mr. President—The House of Representatives have passed Senate bills with the following titles, to wit:

A bill to be entitled, an act to levy a tax on all the Internal Improvement Lands in the counties of Tunica and Coahoma, for the construction of a levee on the Mississippi river;

A bill to be entitled, an act to incorporate the Nashville Guards, in the county of Lowndes, a volunteer company, and for other purposes;

A bill to be entitled an act to exempt from Militia duty the 1st and 2d Mississippi Regiments and Mississippi Batallion.

Also, Senate bills with the following tities:

A bill to be entitled, an act to provide for the purchase of Books, Stationery, Fuel, and Water for the Legislature and State Officers, and for the hire of Servants about the Capitol;

A bill to be entitled, an act to amend the law in relation to Writs of Error and Supercedeas, in criminal cases;

A bill to be entitled an act to incorporate the Kemper Plank Road Company;

A resolution in relation to the University of Mississippi.

The House of Representatives have concurred in the resolution of the Senate, appointing a committee of conference to adjust the matters of disagreement between the two Houses on the Senate bill entitled, an act to incorporate the Jacinto Male Academy, and for other purposes.

And have appointed as said committee, on the part of the House, Messrs. Gatlin, Tison, Guy, Hinds, and Suratt.

The Speaker of the House of Representatives has signed

An act to authorize the voters of Coahoma county to permanently to locate their county seat;

An act to establish a Ferry across Yazoo River, at the residence of Alfred Murdock, in the county of Sunflower, and for other purposes;

An act to remit certain Damages therein stated, and for other purposes;

Which I am instructed to present to the Senate for the signature of the President.

The President signed the bills therein named.

Mr. Berry, from the committee on Enrolled Bills, made the following report, to-wit:

Mr. President — The joint standing committee on Enrolled Bills, have this day presented to his Excellency the Governor, for his approval and signature, bills of the following titles, to-wit:

An act declaring Twenty Mile Creek, from its confluence with Brown's Creek, to Wiley Belcher's Mills, in Tishemingo county, a navigable stream;

An act to incorporate the Jackson and Canton Plank Road Company;

An act for the benefit of John B. Nevitt, of Adams county, and others;

An act to incorporate the Kemper Iron Works Company;

An act for the relief of Maria F. Cohea, orphan child of Perry Cohea, deceased;

An act entitled, an act to authorize the President and Board of Trustees of township 5, of range 5 east, in Rankin county, to make titles to the 16th section of said township;

An act to amend the several acts, incorporating the Louisville Academy;

An act to amend an act for the relief of John Patterson, approved Jan. 22, 1848;

An act for the benefit of L. L. Bridges, sheriff of Coahoma county;

An act to repeal the second section of an act entitled, an act to aid the citizens of Vicksburg in building a Hospital;

An act amendatory of the laws in relation to the condemnation of Timber for building and repairing Bridges and Causeways, in Monroe county;

An act to incorporate the Panola and Coahoma Plank Road Company;

An act to secure the collection of Taxes on delinquent Lands, and for other purposes;

An act to amend an act, entitled, an act to aid in the establishment of an Institution for the Instruction of the Blind, passed 2d March, 1846;

An act regulating the payment of the Clerks and Returning Officers of Presidential Elections, and of Grand Jurors and Bailiffs in the Circuit Courts, and for other purposes;

An act to reduce the fees of the county Treasurer of Copiah county as escheator;

An act to reduce the rate of license to retail Vinous and Spirituous Liqnors in certain counties therein named;

An act to prohibit the sale of Ardent Spirits, such as Brandy, Rum, Gin, or Whiskey, within four miles of the Court-house of Harrison county, located in Mississippi City;

An act to repeal an act entitled, an act to incorporate the Deer Creek Navigation Company, approved March 4th, 1848, and for other purposes;

An act to submit to the legal voters of the town of Monticello and vicinity, within two miles of the Court-house, in said town, the question whether Vinous and Spirituous Liquors shall be sold within said town and vicinity;

An act to confirm to Samuel H. King, the privileges granted him by the Board of Police in Tippah county, on the 11th day of April, 1848;

An act to authorize A. A. McKenzie to hawk and peddle in the county of Desoto;

Resolution in relation to the Secretary of the Senate and Clerk of the House of Representatives;

An act to legalize the sale of Sixteenth Sections in the county of Smith and State of Mississippi;

An act to repeal an act conferring corporate privileges on the citizens of the town of Rodney;

An act for the benefit of the Fire Company of the City of Jackson;

An act for the benefit of the heirs of Robert H. Gill, deceased, late of Leake county;

An act to amend an act entitled, an act concerning Divorce and Alimony, passed June 15, 1822;

An act to provide for the transcribing of certain Records in Bolivar county;

An act to prescribe the mode of applying Funds in Tippah county, and for other purposes;

An act to amend an act concerning the jurisdiction and powers of Justices of the Peace in this State, approved Dec. 30th, 1831, so far as relates to the county of Coahoma;

An act supplementary to an act to change the time of holding the Probate Court of Jasper county;

A resolution in relation to School Lands;

An act providing for the election of additional Members to Congress, and for other purposes;

An act to amend an act entitled an act to legalize the public Roads in Coahoma county;

An act to amend an act to provide for the sale of Lands purchased by the State at Tax Sales, approved March 4th, 1848, so far as relates to Holmes county.

The following message was received from his Excellency, the Governor, through his Private Secretary, Mr. McDonald, to wit:

Mr. President—His Excellency, the Governor, has approved and signed bills of the following titles, to wit:

An act for the benefit of John B. Nevitt, of Adams county, and others;

An act to amend an act to provide for the sale of lands purchased by the State at tax sales, approved March 4th, 1848, so far as relates to Holmes county;

An act to prescribe the mode of applying school funds in Tippah county, and for other purposes;

An act to submit to the legal voters of the town of Monticello and vicinity, within two miles of the court-house in said town, the question whether vinous and spiritous liquors shall be sold within said town and vicinity;

An act to provide for the transcribing of certain records in Bolivar county;

An act to incorporate the Jackson and Canton railroad Company;

An act supplemental to an act to change the time of holding the probate court of Jasper county;

An act for the benefit of the Fire Company, No. 1, in the city of Jackson;

An act to amend an act concerning the jurisdiction and powers of justices of the peace in this State, approved Dec. 30th, 1831, so far as relates to the county of Coahoma;

An act to repeal the second section of an act entitled an act to aid the citizens of Vicksburg in building a hospital;

An act to repeal all acts conferring corporate privileges on the citizens of the town of Rodney;

An act to amend an act entitled an act concerning divorce and alimony, passed June 15th, 1822;

An act to prohibit the sale of ardent spirits, such as brandy, rum, gin or whisky, within four miles of the court-house of Harrison county, located in Mississippi City;

An act to reduce the rate of license to retail vinous or spiritous liquors, in certain counties therein named;

An act to reduce the fees of the county treasurer of Copiah county, as escheator;

An act to incorporate the Kemper Iron Works Company;

An act entitled an act to authorize the president and board of trustees of township five, of range five east, in Rankin county, to make titles to the sixteenth section of said township;

An act to amend an act entitled an act to aid in the establishment of an institntion for the instruction of the blind, passed March 2d, 1848;

An act to amend the several acts incorporating the Louisville Academy;

An act to amend an act for the relief of John Patterson, approved Jan. 22, 1848.

Mr. Gilleland, from the committee on Enrolled Bills, made the following report, to wit:

Mr. President—The joint standing committee on Enrolled Bills have this day examined bills of the following titles, viz:

An act for making ditches in the counties of Washington, Bolivar, Issaquena and Yazoo;

An act to promote common schools in the several counties in this State;

An act amendatory of the revenue laws of this State;

An act to incorporate the Yazoo City and Houston Railroad Company;

An act supplementary to an act to secure to owners of slaves, executed by sentence of law, compensation for the same, passed Feb. 18th, 1848;

An act to change the forms of pleadings in the circuit courts of this State;

Preamble and resolution of the Legislature of the State of Mississippi;

An act to repeal an act to establish a system of common schools, and for other purposes, approved March 4th, 1846, so far as the same relates to the county of Warren.

Mr. Gilleland, from the Committee on Enrolled Bills, made the following report, to wit:

MR. PRESIDENT—The joint standing committee on Enrolled Bills have this day examined bills of the following titles, viz:

An act to revive and continue an act entitled an act to incorporate the Southern Railroad Company, approved February 23d, 1846;

Resolution to amend the constitution of the State of Mississippi;

Resolution relative to the Nashville Convention;

An act for the benefit of Jonathan T. Simms, Clerk of the Superior Court of Chancery;

An act proposing an amendment to the constitution of the State of Mississippi;

An act to amend an act entitled an act to incorporate the town of Pass Christian, approved 21st Feb., 1848;

And have found the same correctly enrolled.

The following message was received from the House of Repreentatives, through their clerk, Mr. Russell, to wit:

MR. PRESIDENT—The Speaker of the House of Representatives has signed bills of the following titles, viz:

An act for making ditches in the counties of Washington, Bolivar, Issaquena and Yazoo;

An act to promote common schools in the several counties in this State;

An act amendatory of the revenue laws of this State;

An act to incorporate the Yazoo City and Houston Railroad Company;

An act supplementary to an act to secure to owners of slaves, executed by sentence of law, compensation for the same, passed February 18th, 1846;

An act to change the forms of pleading in the circuit courts of this State;

Preamble and resolution of the Legislature of the State of Mississippi;

An act to repeal an act to establish a system of common schools, and for other purposes, approved 4th March, 1846, so far as the same relates to the county of Warren;

An act to amend an act entitled an act to incorporate the town of Pass Christian, passed 21st day of Feb., 1848;

An act proposing an amendment to the constitution of the State of Mississippi;

An act for the benefit of Jonathan T. Simms, Clerk of the Superior Court of Chancery;

An act to revive and continue an act to incorporate the Southern Railroad Company, approved February 23d, 1846;

Resolution relative to the Nashville Convention;

Resolution to amend the constitution of the State of Mississippi;

Which I am instructed to present to the Senate for the signature of the President.

The President signed the bills therein named.

Mr. Sharkey asked and obtained leave to call up a bill to be entitled an act to levy a tax on all the internal improvement lands in the counties of Tunica and Coahoma, for the construction of the levee on the Mississippi river, in Tunica and Coahoma counties; which was read the first time.

Mr. Sharkey moved that the rule be suspended, and that the bill be read the second time by title, which was lost.

Mr. Davis asked and obtained leave to call up a bill to be entitled, an act to exempt from militia duty the first and second Mississippi regiments, and Mississippi battallion; which was read the first time.

On motion of Mr. Davis, the rule was suspended, and the bill read the second time by title.

On motion of Mr. Davis, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Cannon asked and obtained leave to call up a bill to be entitled, an act to incorporate the Nashville Guards, in the county of Lowndes, a volunteer company, and for other purposes, which was read the first time.

On motion of Mr. Cannon, the rule was suspended, and the bill read a second time by title.

On motion of Mr. Cannon, the rule was further suspended, the bill read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Cannon asked and obtained leave to offer the following resolution, to-wit:

Resolved, That the thanks of this Senate be tendered to the President pro tem., for the impartial manner in which he has discharged the duties of the station.

Which was read, and, on motion of Mr. Cannon, was unanimously adopted.

Mr. Singleton asked and obtained leave to offer the following resolution, to-wit:

Resolved, That the Senate tender their thanks to the citizens of Jackson, for their kindness and generous hospitality to this body during the present session of the Legislature.

Which was read, and, on motion of Mr. Singleton, was unanimously adopted.

Mr. Berry asked and obtained leave to offer the following resolution, to-wit:

Resolved, That the thanks of this body be tendered to the Secretary and his assistants, and to the Door-keeper, for the faithful discharge of their duties.

Which was read, and, on motion of Mr. Berry, was unanimously adopted.

On motion of Mr. Cannon, the Senate took a recess until 12 o'clock, M.

TWELVE O'CLOCK, M.

The Senate met pursuant to adjournment.

Mr. Gilleland, from the committee on Enrolled Bills, made the following report, to-wit:

MR. PRESIDENT—The joint standing committee on Enrolled Bills have this day examined the following bills, and find the same correctly enrolled, to-wit:

An act to provide for the purchase of Books, Stationery, Fuel, and Water for the Legislature and State Offices, and the hire of Servants about the Capitol;

Resolution in relation to the University of Mississippi;

An act to amend the law in relation to Writs of Error and Supersedeas, in criminal cases;

An act for the benefit of Mary Davis, widow of John R. Davis, deceased, and others;

An act to exempt from Militia duty the 1st and 2d Mississippi Regiments, and Mississippi Batallion;

An act to incorporate the Washington Guards, in the county of Lowndes, a volunteer company, and for other purposes;

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to-wit:

MR. PRESIDENT—The Speaker of the House of Representatives has signed bills of the following titles, viz:

An act for the relief of Mary Davis, widow of John R. Davis, deceased, and other;

An act to amend the law in relation to Writs of Error and Supercedeas, in criminal cases;

A resolution in relation to the University of Mississippi;

An act to provide for the purchase of Books, Stationery, Fuel, and Water for the Legislature and State Offices, and for the hire of Servants about the Capitol;

An act to exempt from Militia duty the 1st and 2d Mississippi Regiments and Mississippi Batallion.

An act to incorporate the Washington Guards, in the county of Lowndes, a volunteer company, and for other purposes;

Which I am instructed to present to the Senate for the signature of the President.

The President signed the bills therein named.

Mr. Gilleland, from the committee on Enrolled Bills, made the following report, to-wit:

MR. PRESIDENT—The joint standing committee on Enrolled Bills, have this day presented to his Excellency, the Governor, for his approval and signature, bills of the following titles, to-wit:

An act to remit certain damages therein named, and for other purposes;

An act to authorise the voters of Coahoma county to permanently locate their county seat;

An act to establish a ferry across Yazoo river, at the residence of Alfred Murdock, in the county of Sunflower, and for other purposes;

Mr. Gilleland, from the committee on Enrolled Bills, made the following report, to-wit:

Mr. President—The joint standing committee on Enrolled Bills have this day presented to his Excellency, the Governor, for his approval and signature, bills of the following titles, viz:

An act for making ditches in the counties of Washington, Bolivar, Issaquena, and Yazoo;

An act to promote Common Schools in the several counties in this State;

An act amendatory of the Revenue Laws of this State;

An act to incorporate the Yazoo City and Houston Railroad Company;

An act suplementary to an act to secure to owners of Slaves, executed by sentence of law, compensation for the same, passed February 18th, 1846;

An act to change the forms of Pleadings in the Circuit Courts of this State;

Preamble and resolution of the Legislature of the State of Mississippi;

An act to repeal an act to establish a system of Common Schools and for other purposes, approved 4th, March, 1846, so far as the same relates to the county of Warren;

An act to amend an act, entitled, an act to incorporate the town of Pass Christian, approved Feb. 21, 1848;

An act proposing an amendment to the Constitution of the State of Mississippi;

An act for the benefit of J. T. Simms, clerk of the Superior Court of Chancery;

An act to revive and continue an act to incorporate the Southern Railroad Company, approved Feb. 23, 1846;

Resolution relative to the Nashville Convention;

Resolution to amend the Constitution of the State of Mississippi;

The following message was received from his Excellency, the Governor, through his private Secretary, Mr. McDonald, to wit:

Mr. President—His Excellency, the Governor, has approved and signed bills of the following titles, to-wit:

An act to incorporate the Panola and Coahoma Plank Road Company;

An act amendatory of the laws in relation to the condemnation of Timber for building and repairing Bridges and Causeways, in Monroe county;

An act for the benefit of L. L. Bridges, sheriff of Coahoma county;

Resolution in relation to the Secretary of the Senate and Clerk of the House of Representatives;

An act to remit certain Damages therein stated, and for other purposes;

An act for the relief of Maria F. Cohea, orphan child of Perry Cohea, deceased;

An act for the benefit of the heirs of Robert H. Gill, deceased, late of Leake county;

An act to confirm to Samuel H. King the privileges granted him by the board of police in Tippah county, on the 11th day of April, 1848;

An act to authorize the voters of Coahoma county to permanently to locate their county seat;

An act to establish a Ferry across Yazoo River, at the residence of Alfred Murdock, in the county of Sunflower, and for other purposes;

Mr. Berry, from the committee on Enrolled Bills, made the following report, to wit:

MR. PRESIDENT—The joint standing committee on Enrolled Bills have this day presented to his Excellency, the Governor, for hir approval and signature, bills of the following titles, to-wit:

An act to incorporate the Nashville Guards, in the county of Lowndes, a volunteer company, and for other purposes;

An act for the benefit of Mary Davis, widow of John R. Davis, deceased, and others;

An act to exempt from Militia duty the 1st and 2d Mississippi Regiments, and Mississippi Batallion;

An act to amend the law in relation to Writs of Error and Supersedeas, in criminal cases;

A resolution in relation to the University of Mississippi;

An act to provide for the purchase of Books, Stationery, Fuel, and Water for the Legislature, and State Offices, and for the hire of Servants about the Capitol.

On motion of Mr. Bell, the Senate adjourned until half past two o'clock, P. M.

HALF PAST TWO O'CLOCK, P. M.

The Senate met pursuant to adjournment.

A quorum not being present, on motion of Mr. Sharkey, a call of the Senate was had.

On motion of Mr. Sharkey, a further call of the Senate was dispensed with.

Mr. Gilleland, from the standing committee on Enrolled Bills, made the following report, to-wit:

MR. PRESIDENT—The joint standing committee on Enrolled Bills, have this day examined a bill of the following title, viz:

An act to incorporate the Kemper Plank Road Company;

An act to provide for the compensation of the Secretary of the Senate and Clerk of the House of Representatives;

And have found the same correctly enrolled.

The President presented to the Senate the following communication, to-wit:

Mr. President—The absence of the Secretary from his post, for the first time during the session, on account of illness, devolves upon me the duty, at the request of his assistants, of returning, through you, to the Senate, our grateful sense of gratituted for the vote of thanks, which you have unanimously tendered to us.

At this solemn moment of parting, we feel the full weight of the obligation under which the members of this honorable body have placed us by their unaffected kindness, indulgence, and urbanity.

Though but your ministerial agents, we have not been precluded from observing, as Mississippians, with the highest degree of pride and satisfaction, the noble stand which this honorable body has taken for true dignity, mature wisdom, and lofty patriotism; and when we shall mingle among your constituents, we shall, without affectation or exaggeration, point them to the present session of the Senate as a great historical era in Mississippi legislation proudly and nobly sustained, as it has been by the purest patriotism, the most unflinching firmness, and the rarest harmony, and approved, as it is destined to be, by the cheering verdict of the people.

To you, Mr. President, and to your predecessor in the chair, for whose indisposition we all deeply sympathize, permit us, before closing, to tender our heartfelt thanks for your unvarying kindness, which has marked your intercourse with us; and for each member of the Senate we shall ever cherish the most lively feelings of regard.

LEON TROUSDALE.

Which was read, and, on motion of Mr. Cannon, was ordered to be spread on the journal.

The following message was received from his Excellency, the Governor, through his private Secretary, Mr. McDonald, to-wit:

Mr. President—His Excellency the Governor has approved and signed the following bills, to-wit:

A resolution to amend the Constitution of the State of Mississippi;

Resolution relative to the Nashville Convention;

An act proposing an amendment to the Constitution of the State of Mississippi;

An act for the benefit of Jonathan T. Simms, clerk of the Superior Court of Chancery;

Resolution in relation to the University of Mississippi;

An act to amend the law in relation to Writs of Error and Supercedeas, in criminal cases;

An act to provide for the purchase of Books, Stationery, Fuel,

and Water for the Legislature and State Offices, and for the hire of Servants about the Capitol;

An act for the benefit of Mary Davis, widow of John R. Davis, deceased, and others;

An act to amend an act entitled, an act to incorporate the town of Pass Christian, passed the 21st day of Feb., 1848.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to-wit:

Mr. President—The House of Representatives have passed Senate bills of the following titles, to wit:

A bill to be entitled, an act making certain Appropriations therein named;

A bill to be entitled, an act to amend the charter of the Commercial and Railroad Bank of Vicksburg;

And have made amendments to each of said bills, in which I am instructed to desire the concurrence of the Senate.

Also, Senate bill of the following title:

A bill to be entitled, an act to provide for the safe keeping of the Public Arms.

And have concurred in the amendment made by the Senate to the House bill, entitled, an act to reduce the number of clerks in the two Houses of the Legislature.

The Speaker of the House has signed an act to incorporate the Kemper Plank Road Company;

Which I am instructed to present to the Senate for the signature of the President.

The President signed the bill therein named.

Mr. Cannon asked and obtained leave to call up a bill to be entitled, an act making certain appropriations therein named, with the amendments made by the House of Representatives to said bill, which amendments were read,

On motion of Mr. Cannon, the first amendment was cancurred in.

On motion of Mr. Cannon, the second amendment was concurred in.

On motion of Mr. Cannon, the fourth amendment was concurred in.

Mr. Cannon moved that the fifth amendment be disagreed to; which motion was lost.

Mr. Kennedy called for the ayes and nays thereon, which are as follows, to-wit:

Ayes—Messrs. Cannon, Carter, Kennedy, Pettus, Torrey, and Thompson—6.

Nays—Mr. President, Messrs. Bell, Gilleland, Hodges, McDugald, Ramsay, Reynolds, Singleton, Stone, Stewart, Sharkey, Talliaferro, and White—13.

On motion of Mr. Ramsay, the fifth amendment was concurred in.

On motion of Mr. Ramsay, the sixth amendment was concurred in.

On motion of Mr. Ramsay, the seventh amendment was concurred in.

On motion of Mr. Hodges, the eighth amendment was concurred in.

Mr. Cannon offered the following amendment to said bill, to-wit:

Art. —. To Fall & Marshall, for printing done at the present session for the Senate, the sum of ($1,317 40,) thirteen hundred and seventeen dollars and forty cents; and for folding and stitching documents for the Senate, the further sum of ($136 50,) one hundred and thirty-six dollars and fifty cents.

Which was read, and, on motion of Mr. Cannon, was adopted.

On the further motion of Mr. Cannon, the rule was suspended, the amendments considered as engrossed, the bill as amended, read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Gilleland, from the committee on Enrolled Bills, made the following report, to-wit:

Mr. President—The standing committee on Enrolled Bills have this day examined bills of the following titles, viz:

An act to authorize the Boards of Police to designate the place where Criminals shall be executed, in certain cases;

An act to amend the Constitution of the State of Mississippi;

An act to amend an act, entitled, an act for the benefit of the Poor, approved Feb. 5, 1818;

An act to authorize the Mayor and Aldermen of the City of Jackson, to sell certain lots in said city, for purposes therein declared;

An act to authorize the Judges of the High Court of Errors and Appeals to meet at Oxford, and hear the argument of causes;

And have found the same correctly enrolled.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

Mr. President—The Speaker of the House of Representatives has signed a bill of the following title, viz:

An act to provide for the compensation of the Secretary of the Senate, and Clerk of the House of Representatives;

Which I am instructed to present to the Senate for the signature of the President.

The House of Representatives have passed Senate bills of the following titles:

A bill supplemental to an act, entitled, an act to promote Common Schools in the several counties in this State, so far as relates to the county of Lauderdale;

A bill to be entitled, an act to amend the Road Laws;

A bill to be entitled, an act for the purchase of Books for the Convicts in the Penitentiary;

A bill to be entitled, an act for the relief of the Natchez Orphan Asylum;

A bill to be entitled, an act for repairing the Capitol;

The President signed the bills therein named.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to-wit:

MR. PRESIDENT—The Speaker of the House of Representatives has signed bills of the following titles, to-wit:

An act to authorize the Judges of the High Court of Errors and Appeals to meet at Oxford, and hear the argument of causes;

An act to authorize the Mayor and Aldermen of the City of Jackson to sell certain lots in said city, for purposes therein declared;

An act to amend an act, entitled, an act for the benefit of the Poor, approved Feb. 5, 1818;

An act to amend the Constitution of the State of Mississippi;

An act to authorize the Board of Police to designate the place where convicts shall be executed, in certain cases;

Which I am instructed to present to the Senate for the signature of the President.

The President signed the bills therein named.

The following message was received from his Excellency, the Governor, through his Private Secretary, Mr. McDonald, to wit:

MR. PRESIDENT—His Excellency, the Governor, has approved and signed bills of the following titles, to wit;

An act to incorporate Kemper Plank Road Company.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

MR. PRESIDENT—The House of Representatives have passed Senate bills with the following titles:

A bill to be entitled, an act to amend the laws in relation to Executors, *de son tort;*

A bill to be entitled, an act for the preservation of the Books of the Surveyor General;

A bill to be entitled, an act to amend an act, entitled, an act to provide for erecting Levees on the Mississippi River, in Warren county, approved February 23, 1846;

A memorial to the Congress of the United States, in relation to the Mobile and Ohio Railroad;

Also, a House bill, to be entitled, an act to amend an act, entitled, an act to establish an Inferior Court of Chancery, in the northern portion of this State, approved Feb. 1842;

In which I am instructed to ask the concurrence of the Senate.

Mr. Gilleland, from the committee on Enrolled Bills, made the following report, viz:

MR. PRESIDENT — The joint standing committee on Enrolled

Bills, have this day examined bills of the following titles, and find the same correctly enrolled, to-wit:

An act to provide for the safe keeping of the Public Arms;

An act for the relief of the Natchez Orphan's Asylum;

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to-wit:

Mr. President—The Speaker of the House of Representatives has signed bills of the following titles, to wit:

An act to provide for the safe keeping of the Public Arms;

An act for the relief of the Natchez Orphan's Asylum;

Which I am instructed to present to the Senate for the signature of the President.

The President signed the bills therein named.

Mr. Sharkey asked and obtained leave to introduce a bill to be entitled, an act supplemental to an act to continue an act entitled, an act to incorporate the Southern Railroad Company, which was read the first time.

On motion of Mr. Sharkey, the rule was suspended and the bill read the second time by title.

On the further motion of Mr. Sharkey, the rule was further suspended, the bill considered as engrossed, read the third time and passed.

Ordered, That the title thereof be as stated.

Mr. Gilleland, from the committee on Enrolled Bills, made the following report:

Mr. President—The joint standing committee on Enrolled Bills, have this day presented to his Excellency the Governor, bills of the following titles, to-wit;

An act for the relief of the Natchez Orphan's Asylum;

An act to provide for the safe keeping of the Public Arms;

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

Mr. President—The House of Representatives have passed a Senate memorial to the Congress of the United States, in relation to the officers and soldiers of the war of 1812;

Mr. Gilleland, from the committee on Enrolled Bills, made the following report, to-wit:

Mr. President—The joint standing committee on Enrolled Bills, have this day presented to his Excellency, the Governor, for his approval and signature, bills of the following titles, to-wit:

An act to incorporate the Kemper Plank Road Company;

An act to provide for the compensation of the Secretary of the Senate and Clerk of the House of Representatives.

Mr. Gilleland, from the committee on Enrolled Bills, made the following report, to-wit:

Mr. President—The joint standing committee on Enrolled Bills, have this day presented to his Excellency the Governor, for his approval and signature, bills of the following titles, viz:

An act to authorise the Board of Police to designate the place where convicts shall be executed, in certain cases;

An act to amend the constitution of the State of Mississippi;

An act to amend an act entitled an act for the benefit of the poor, approved February 5th, 1818;

An act to authorise the mayor and aldermen of the city of Jackson to sell certain lots in said city, for the purposes therein declared;

An act to authorise the Judges of the High Court of Errors and Appeals, to meet at Oxford, and hear the argument of causes;

An act to provide for the safe-keeping of the Public Arms;

An act for the relief of the Natchez Orphan's Asylum;

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to-wit:

MR. PRESIDENT—The House of Representatives have concurred in the amendment made by the Senate to the amendments made by the House to the bill entitled an act making certain appropriations therein named.

Mr. Gilleland, from the committee on Enrolled Bills, made the following report, to-wit:

MR. PRESIDENT—The joint standing committee on Enrolled Bills have this day examined bills of the following titles to wit:

An act for repairing the State Capitol;

An act to provide for the purchase of books for the use of the convicts in the Penitentiary;

An act to amend the charter of the Commercial and Railroad Bank of Vicksburg;

An act to amend the road laws;

And have found the same correctly enrolled.

The following message was received from the House of Representatives through their clerk, Mr. Russell, to wit:

MR. PRESIDENT—The Speaker of the House of Representatives has signed bills of the following titles, to wit:

An act to provide for the purchase of books for the use of the convicts in the Penitentiary;

An act for repairing the Capitol;

Which I am instructed to present to the Senate for the signature of the President.

The President signed the bills therein named.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

MR. PRESIDENT—The House of Representatives have passed a Senate bill entitled an act supplementary to an act entitled an act to amend an act entitled an act to incorporate the Southern Railroad company.

Mr. Gilleland, from the committee on Enrolled Bills, made the following report, to wit:

MR. PRESIDENT—The joint standing committee on Enrolled

Bills have this day presented to his Excellency the Governor, for his approbation and signature, bills of the following titles, to wit:

An act for repairing the State Capitol;

An act to provide for the purchase of books for the use of the convicts in the Penitentiary;

An act to amend the charter of the Commercial and Railroad Bank of Vicksburg;

An act to amend the road laws.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

MR. PRESIDENT—The Speaker of the House of Representatives has signed bills of the following titles, viz:

An act to amend the charter of the Commercial and Railroad Bank of Vicksburg;

An act to amend the road laws;

Which I am instructed to present to the Senate for the signature of the President.

The President signed the bills therein named.

On motion of Mr. Kennedy, the Senate adjourned until half past 7 o'clock, P. M.

HALF PAST SEVEN O'CLOCK, P. M.

The Senate met pursuant to adjournment.

Mr. Gilleland, from the committee on Enrolled bills, made the following report, to wit:

MR. PRESIDENT—The committee on Enrolled Bills have this day presented to his Excellency the Governor, for his approval and signature, bills of the following titles, to wit:

An act to amend the charter of the Commercial and Railroad Bank of Vicksburg;

An act to amend the road laws.

Mr. Gilleland, from the committee on Enrolled Bills, made the following report, to wit:

MR. PRESIDENT—The joint standing committee on Enrolled Bills have this day examined bills of the following titles, to wit:

A memorial of the Legislature of Mississippi to the Congress of the United States, now in session, praying the cession of certain public lands to aid in the construction and completion of the Mobile and Ohio Railroad;

A memorial of the Legislature of the State of Mississippi to the Congress of the United States;

An act to amend an act entitled an act to provide for erecting levees on the banks of the Mississippi, in Warren county, approved February 23d, 1846;

An act to amend the law in relation to executors, *de son tort;*

An act for the preservation of the books of the Surveyor General;

An act supplemental to an act entitled an act to continue an act entitled an act to incorporate the Southern Railroad company.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

MR. PRESIDENT—The Speaker of the House of Representatives has signed bills of the following titles, to wit:

An act to amend the laws in relation to Executors, *de son tort*;

An act supplemental to an act entitled an act to continue an act entitled an act to incorporate the Southern Railroad company;

An act for the preservation of the books of the Surveyor General;

An act to amend an act entitled an act to provide for erecting levees on the banks of the Mississippi river, in Warren county, approved February 20th, 1846;

A memorial of the Legislature of the State of Mississippi to the Congress of the United States;

A memorial of the Legislature of the State of Mississippi to the Congress of the United States, now in session, praying the cession of certain public lands to aid in the construction and completion of the Mobile and Ohio Railroad;

Which I am instructed to present to the Senate for the signature of the President.

The President signed the bills therein named.

The following message was received from his Excellency the Governor, through his private Secretary, Mr. McDonald, to wit:

TO THE SENATE:

I return to the Senate, with objections, the bill entitled an act to authorise A. A. McKenzie to hawk and peddle in the county of Desoto, because it gives a special privilege to a citizen, without any consideration of public services.

J. A. QUITMAN.

EXECUTIVE CHAMBER,
Jackson, March 9, 1850.

Which was read, and the question being taken, "Shall this bill pass, notwithstanding the Executive veto?" it was decided in the negative.

AYES—None.

NAYS—Mr. President, Messrs. Bell, Cannon, Carter, Davis, Gilleland, Hodges, Kennedy, McDugald, Pettus, Ramsay, Singleton, Stewart, Torrey, Talliaferro, Thompson and White—17.

The following message was received from his Excellency the Governor, through his private Secretary, Mr. McDonald, to wit:

MR. PRESIDENT—His Excellency the Governor has approved and signed bills of the following titles, to wit:

An act to authorize the judges of the High Court of Errors and Appeals to meet at Oxford and hear the argument of causes;

An act to amend the constitution of the State of Mississippi;

An act to authorise the Boards of Police to designate the place where convicts shall be executed in certain cases;

An act to amend an act entitled an act for the benefit of the poor, approved February 5th, 1818;

An act to authorize the mayor and aldermen of the city of Jackson to sell certain lots in said city, for purposes therein declared;

An act for the relief of the Natchez Orphan's Asylum;

An act to provide for the safe-keeping of the public arms;

An act to provide for the purchase of books for the use of the convicts in the Penitentiary;

An act for repairing the Capitol;

An act to promote common schools in the several counties in this State.

The following message was received from his Excellency the Governor, through his private secretary, Mr. McDonald, to wit:

Mr. President—His Excellency the Governor has approved and signed bills of the following titles, to wit:

An act for the preservation of the books of the Surveyor General;

An act to amend the laws in relation to executors, *de son tort:*

An act to amend an act entitled an act to provide for the erecting of levees on the bank of the Mississippi river, in Warren county, approved February 23d, 1846;

An act to amend the charter of the Commercial and Railroad Bank of Vicksburg;

A memorial of the Legislature of the State of Mississippi to the Congress of the United States;

An act to revive and continue an act entitled an act to incorporate the Southern Railroad Company, approved February 23d, 1846;

A memorial of the Legislature of Mississippi, to the Congress of the United States, now in session, praying the cession of certain public lands, to aid in the construction and completion of the Mobile and Ohio Railroad;

An act supplemental to an act entitled an act to continue an act entitled an act to incorporate the Southern Railroad company;

An act to amend the road laws.

On motion of Mr. Cannon, the Senate took a recess of thirty minutes.

The recess having expired, the President called the Senate to order.

Mr. Gilleland, from the committee on Enrolled Bills, made the following report, to wit:

Mr. President—The joint standing committee on Enrolled Bills, have this day examined bills of the following titles, to-wit:

An act to amend an act entitled an act to establish an Inferior

court of Chancery, in the northern portion of this State, approved February 26th, 1842;

An act supplemental to an act entitled an act to promote common schools in the seveal counties in this State, so far as relates to the county of Lauderdale;

An act making certain appropriations therein named.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

Mr. President—The Speaker of the House of Representatives has signed bills of the following titles, to wit:

An act to amend an act entitled an act to establish an Inferior court of Chancery, in the northern portion of this State, approved February 26th, 1842;

An act supplemental to an act entitled an act to promote common schools in the several counties in this State, so far as relates to the county of Lauderdale;

An act making certain appropriation therein named;

Which I am instructed to present to the Senate for the signature of the President.

The President signed the bills therein named.

Mr. Gilleland, from the committee on Enrolled Bills, made the following report, to wit:

Mr. President—The committee on Enrolled Bills have this day presented to his Excellency the Governor, for his approval and signature, bills of the following titles, to-wit:

An act to amend an act entitled an act to establish an Inferior court of Chancery in the northern portion of this State, approved February 26th, 1842;

An act supplemental to an act entitled an act to promote common schools in the several counties in this State, so far as relates to the county of Lauderdale;

An act making certain appropriations therein named.

The following message was received from his Excellency the Governor, through his private secretary, Mr. McDonald, to wit:

Mr. President—His Excellency the Governor, has approved and signed the following bills, to wit:

An act to amend an act entitled an act to establish and Inferior court of Chancery, in the northern portion of this State, approved February 26th, 1842;

An act supplemental to an act entitled an act to promote common schools in the several counties in this State, so far as relates to the county of Lauderdale;

An act making certain appropriations therein named;

Mr. Kennedy asked and obtained leave to offer the following resolution, to wit:

Rsolved, (with the concurrence of the House of Representatives) That a joint committee of three, on the part of the Senate, and ——— on the part of the House of Representatives, be appointed

to wait on his Excellency the Governor, and inform him that the two Houses have discharged all the business before them, and are ready to adjourn *sine die*, and inquire of him whether he has any further communications to present to the Legislature.

Which was read the first time.

On motion of Mr. Kennedy, the rule was suspended, and the resolution read the second time and adopted.

Messrs. Kennedy, Bell and White, were appointed said committee, on the part of the Senate.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

Mr. President—The House of Representatives have concurred in the joint resolution of the Senate appointing a committee of three on the part of the Senate, and ——— on the part of the House, to wait on his Excellency the Governor, and inform him that the two Houses have discharged the business before them, and are now ready to adjourn *sine die*, and inquire of him whether he has any further communications to present to the Legislature; and have appointed as said committee, on the part of the House, Messrs. Thomas of Marshall, Ellis, Thames, Starke and Arthur.

Mr. Kennedy, from the joint select committee appointed to wait on his Excellency the Governor, and inform him that the two Houses have discharged all the business before them, and are now ready to adjourn, *sine die*, &c., made the following report, to wit:

Mr. President—The committee appointed to wait upon his Excellency the Governor, and inform him that both Houses have gone through with the business before them, and inquire of him whether he had any further communication to make, have discharged that duty, and was informed by the Governor that he had nothing further to communicate.

Which was read, and, on motion of Mr. Kennedy, was received and agreed to.

Mr. Bell asked and obtained leave to offer the following resolution, to wit:

Resolved, That the Secretary inform the House of Representatives that the Senate have gone through with the business before them, and are now ready to adjourn, *sine die*.

Which was read, and, on motion of Mr. Bell, was adopted.

The following message was received from the House of Representatives, through their clerk, Mr. Russell, to wit:

Mr. President—I am instructed to inform the Senate, that the House of Representatives have gone through the business before them, and are no ready to adjourn, *sine die*.

Whereupon, the Hon. John I Guion, President of the Senate, arose and delivered the following address, to wit:

SENATORS—Our official labors for the session are closed, and we are about to separate, in all human probability, never to meet again. The occasion is to me peculiarly impressive and affecting. With many of you, I have been associated in this chamber many years, and have formed strong ties of attachment; for all of you, I entertain sentiments of regard and respect, which my present position gives me sufficient reason to believe reciprocal. In peforming my last official act as your presiding officer, I cannot withhold my profound acknowledgments for the honors conferred upon me by my selection to preside over your deliberations during the illness of our amiable and worthy President, in whose sufferings we all sympathise, and whose absence from his seat we regret. In his name, and at his request, I make you renewed assurances of the obligations he feels for the repeated honors conferred upon him, and his unabated regard and attachment for you all. Permit me to return to you my thanks for the kind and indulgent manner in which you have, without exception, acted towards me, while performing the difficult and delicate duties of the chair. Your kindness will never be forgotten. I congratulate you on the dignity of deportment, suavity of manner and cordiality of feeling, which have marked your deliberations. Although many exciting topics have engaged your attention, yet not an instance has occurred in which any member of this body has departed from that propriety of manner and bearing which should ever mark the conduct of the representative of an enlightened constituency.

Many interesting subjects have been acted on by us, and although we have not effected all that we desired, yet we have accomplished much that will redound, I trust, to the honor and prosperity of our beloved State; and when you return to your families and to your constituents, I doubt not you will each be greeted with merited "well done thou good and faithful servant."

Allow me to express the hope, that all of you will fill those seats again, as the able and faithful representatives of the people. My connection with you is about to be dissolved forever. Accept my heartfelt wishes for your prosperity and happiness through life, and a final reward of peace and glory beyond the grave. It but remains for me to bid you an affectionate farewell, and pronounce the Senate adjourned, *sine die*.

And thereupon, the Senate adjourned, *sine die*.

JOHN I. GUION, President pro tem.

J. A. ORR, Secretary.

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